

# DEVELOPER GUIDANCE

FOR URBAN & BROWNFIELD PROPERTIES



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Lovely A. Warren  
Mayor

# Introduction from City Leadership

## To the Development Community and Citizens of Rochester:

As Mayor, I am proud to present the Developer Guidance Handbook, which outlines the philosophy, vision, regulations, and procedures related to development in the City of Rochester. Our goal is to provide a rational basis for and understanding of the programs and procedures that are designed to both encourage and regulate development. The City welcomes sound investment that will support our goals of bringing more jobs, safer and more vibrant neighborhoods and better educational opportunities for the citizens of Rochester.

Rochester offers many great opportunities for development, and an attractive setting in which to live, work, play, and invest. *MSN Real Estate* voted Rochester #1 in the category of *Most Livable Bargain Markets* stating that Rochester is a place where unemployment is lower than the national average, commute times are “mercifully short,” and there are “enough cultural and recreational diversions to keep most residents content.” Their review also cited Rochester’s low crime rates, healthy neighborhoods, and access to medical care. These assets put Rochester in an outstanding position for investment opportunities.

In our support of development, the City’s goals are to:

- » Deliver high quality and cost-effective services such that we are the location of choice for businesses, property investors, and residents in this region;
- » Build and maintain a reputation for “best municipal customer service” by ensuring ease of contact, timeliness, and quality of response; and
- » Cultivate relationships with businesses, universities, nonprofit organizations, and other local governments as partners in service delivery.

I am confident this handbook will be helpful to current and future developers, large and small, who are investing in the City of Rochester, and to owners who are reinvesting in their properties.

Sincerely,

  
Lovely A. Warren, Mayor

## CITY OF ROCHESTER VISION

Rochester will be the best mid-sized city in the U.S. in which to live, raise a family, visit, and grow a business. Our City will be renowned for its safe neighborhoods, vibrant economy, educational excellence, and customer service.



This handbook relies heavily on illustration tools and checklists. In addition, we include extensive web-based resources for reference, which are identified by web icons (🌐). If you are viewing this handbook electronically, access these resources by clicking the icons. Otherwise, find full web addresses in the Business Assistance Resources section.





This handbook was developed by the City of Rochester’s Department of Neighborhood & Business Development, Bureau of Planning & Zoning. The Bureau of Planning & Zoning is responsible for comprehensive planning for the City of Rochester, and administering the New York State Uniform Fire Prevention and Building Code, and the City of Rochester Zoning Code. The Bureau coordinates comprehensive planning, supports the making of community and neighborhood visions and plans, ensures a safe and healthy environment in accordance with all laws and regulations, and protects the unique urban character of the City and its neighborhoods.

The City’s overall goal is simple — to improve customer service while reducing the cost of government to help make Rochester the best mid-sized city in America. Consistent with that goal, this Developer Guidance Handbook was prepared to facilitate an understanding of the City’s construction-related development and rehabilitation processes. It provides a helpful tool to encourage and assist prospective developers through the City’s permitting and code requirements.

WHO WILL BENEFIT FROM THIS HANDBOOK?

*Although the types and magnitude of urban development and redevelopment projects vary greatly, all projects have the ability to impact the vitality, sustainability, and character of the City of Rochester’s communities. That these projects are accomplished in accordance with established codes, regulations, and guidelines ensures that clean air, pure water, unpolluted land, accessible streets, and safe, sound, and attractive buildings are maintained.*

*From the resident who proposes to construct a fence, shed, or deck to the developer who proposes a new commercial development or rehabilitation of existing space, this handbook provides a summary of the City’s permitting and approval processes.*

HOW IS THIS HANDBOOK ORGANIZED?

PROJECT PLANNING

This section summarizes development / redevelopment planning steps and processes. Project planning is essential to sustainable development and this section identifies integral components for success such as the importance of understanding urban development concepts and strategies, identifying the attributes and limiting factors associated with the site to be developed or redeveloped, knowing the community and its stakeholders, as well as permitting processes and decision-makers.

PERMITTING

This section identifies the building permit and zoning approval processes. Basic information regarding each process is provided including identification of the approving authority and typical fees. A checklist is provided to summarize recommended planning steps, common application requirements, application review steps, and steps to take after the permit decision is rendered. This section also provides more detailed information on regulatory processes: Site Plan Review, Subdivisions / Resubdivisions, and State Environmental Quality Review (SEQR). The section culminates with a summary of Business and Building Permit processes.

UTILITIES AND INFRASTRUCTURE

The availability of adequate utilities and infrastructure is vital to development / redevelopment projects. The City has a wealth of infrastructure resources to support projects. The information in this section is the first step to understanding the processes to access those resources. This section provides a summary of utility purveyor requirements and design standards, review processes, and contacts. Information on potable water, wastewater, stormwater, power and transmission, telecommunications, and transportation is provided.

RESOURCES

This section identifies useful planning resources including development-related funding programs, contacts, and web-based resources. Housing Resources section identifies useful planning resources for housing development.





# The Permit Office

## *The First and Last Stop for Your City-Wide Permitting Needs*

Most projects affecting changes to real property require a building permit. Permits establish that a proposed project or use satisfies all codes and regulations to ensure the public's safety, health, and the enjoyment of property. The City's Bureau of Planning & Zoning established the Permit Office to assist in obtaining required City permits and approvals. From residential building additions to complex commercial development, the Permit Office is the resource for building code and permitting assistance.

WHA

IS THE PERMIT OFFICE?

- » *An expert in identifying required codes, permits, and approvals*
- » *An advisor during preparation of permit applications*
- » *A navigator during the local review and approval process*
- » *A facilitator in advancing the approvals process*

THE PERMIT OFFICE  
City Hall — Room 121B  
30 Church Street  
Rochester, New York 14614  
(585) 428-7043

Hours of operation:  
9:00am to 4:00pm



### PERMIT OFFICE VISION

The City of Rochester strives to protect public safety, health, and welfare, as well as the community's image and economic well being, through the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the City Zoning Code. Long-term investment is encouraged and protected by the consistent application of the standards found in these codes. The City Zoning Code serves as the tool for implementing the community's vision. Over time, the application of these codes will enrich our choices and opportunities about how to live, work, invest, shop, play, and get around, and will result in a more sustainable community.





# Permit Office Resources

Brochures associated with the following activities are available on the City's website and from the Permit Office. These brochures summarize the activity-specific application requirements and processes.

- » **Additions**
- » **Antennas**
- » **Awnings**
- » **Business**
- » **Decks**
- » **Demolition**
- » **Electrical**
- » **Fences**
- » **Fire Damage**
- » **Garages and Carports**
- » **Home Occupations**
- » **Parking Lots**
- » **Plumbing**
- » **Pools**
- » **Ramps**
- » **Sheds**
- » **Signs**
- » **Third Floor Occupancy**
- » **Vehicle Storage**

The following brochure summarizes the building permit application process:

- » ***Applying for a Building Permit***

The following brochures are available to assist in illustrating the design regulations contained in the City's Zoning Code:

- » ***Commercial Sign Design Primer***
- » ***Single Family Residential Design Primer***
- » ***Neighborhood Commercial Design Primer***

The following permit fee schedules are also available:

- » ***Building Permit Fees***
- » ***Electrical Permit Fees***
- » ***Plumbing Permit Fees***



## THE DEVELOPER'S LANGUAGE

**Survey** — A survey illustrates the configuration and elevation of property, including the location of natural and/or man-made features thereon. Additional details may include existing infrastructure and property lot lines.

**Site Plan** — A site plan is a drawing of proposed improvements to a given lot. A site plan typically illustrates a building footprint, travelways, parking, drainage facilities, utilities, and landscaping elements.

**Elevation** — An elevation is the height of an object above a reference level (*i.e.*, altitude). Elevation can also refer to a side-view of a building as viewed from the front, back, left, or right. It is a common method of depicting the appearance of a building from the exterior.

**Subdivision Plat** — A subdivision plat is a map, drawn to scale, showing the divisions of a piece of land. Subdivision plats are typically prepared by surveyors for City review and approval.

- » **Building Permits**
- » **Zoning Codes**
- » **Zoning Application Forms**
- » **Permit Information, Brochures, and Fee Schedules**





# PROJECT PLANNING

# 01 | Project Planning and Permitting Process Summary

## URBAN DESIGN PRINCIPLES

Developing property within a city requires recognition that there is an existing built-up urban environment. In reviewing new development, the City’s goal is to promote a synergy between the arrangement and design of existing buildings and neighborhoods, public spaces, transport systems, services, infrastructure, and amenities. Planners, including developers and decision-makers alike, must consider the existing urban environment during project planning and design, as well as urban design principles (guidelines) that provide information to the developer and review authority regarding the nature of the design theme and principles that are desired within a specific urban neighborhood.



Whether planning a development / redevelopment project or preparing a site to attract development, the process requires planning. Two planning checklists are provided:

- 1. Preparing for the site development or redevelopment process
- 2. Preparing for the City’s permitting / approval process

## PROJECT PLANNING

- ☐ **Urban development concepts and strategies (Chapter 02)**
  - » Environmental clean-up and brownfield redevelopment
  - » Sustainable development and green initiatives
- ☐ **Know your site (Chapter 03)**
  - » What is the current zoning?
  - » Is the site a brownfield or greenfield?
  - » Is the site proximal to sensitive adjacent uses or receptors (*i.e.*, natural, historic, or cultural resources; sensitive land uses)?
  - » Is the site suitable, accessible, developable or redevelopable, and approvable for the intended use?
- ☐ **Know your community (Chapter 04)**
  - » Know the neighborhood organizations
  - » The community’s vision, decision-makers, and stakeholders are integral to the approval process
- ☐ **Know the permitting process (Chapter 05)**
  - » Contact Permit Office to discuss application requirements, processes, and schedules
  - » Identify decision-makers and stakeholders

- ☐ **Prepare and implement a plan**
  - » Identify planning-related data gaps and limiting factors (*i.e.*, insufficient infrastructure)
  - » Pose questions to decision-makers and stakeholders
  - » Compile information
  - » Identify information resources
  - » Document data and findings
  - » Prepare conceptual site plan and supporting materials
  - » Distribute information, and meet with community stakeholders and decision-makers
- ☐ **References**
  - » Funding opportunities (Chapter 20)
  - » Contact names (Chapter 21)
  - » Web resources (Chapter 23)

## PERMITTING

- ☐ **Visit Permit Office**
  - » Discuss goals and objectives
  - » Identify required approvals and reviews
  - » Identify application requirements and timetables
  - » Apply for building permit and Certificate of Zoning Compliance (CZC)
- ☐ **If necessary, prepare applicable zoning application(s)**
  - » Site Plan Review
  - » Special Permit
  - » Subdivision / Resubdivision
  - » Zoning Code / Map Amendment
  - » Certificate of Appropriateness
  - » Area Variance
  - » Use Variance

- ☐ **Prepare supporting materials**
  - » Survey
  - » Site plans and/or subdivision plats
  - » Elevations
  - » State Environmental Quality Review (SEQR) documents (Chapter 11)
  - » Encroachments (streets, sidewalks)
- ☐ **Submit applications and supporting materials to appropriate staff in the Permit Office**
- ☐ **Attend applicable Board and Commission meetings and hearings**
- ☐ **Obtain zoning decisions**
- ☐ **Prepare construction drawings for building permits**
  - » Construction drawings must reflect zoning decisions
- ☐ **Obtain Building and Demolition Permits**
- ☐ **Schedule construction inspections by Bureau of Inspection and Compliance Services**
- ☐ **Obtain Certificate of Occupancy by Bureau of Inspection and Compliance Services**

 **Zoning Application Forms**  
**The Permit Office**  
City Hall — Room 121B  
30 Church Street  
Rochester, New York 14614  
(585) 428-7043



## 02 | Urban Development Concepts and Strategies

The City of Rochester bustles with energy and excitement, making it a great place to work, live, and visit. Located at the heart of a nine-county region of more than one million people, the central business district offers employers short commute times, inexpensive parking, and world-class office space. Food choices range from street-corner hotdog carts to gourmet restaurants. Lunchtime diversions include concerts by members of the Rochester Philharmonic Orchestra, lectures and brownbag-book discussions at the Central Library. But perhaps downtown’s most important asset for employers is the intangible sense of freedom and vibrancy it brings to the workplace. Employees are not trapped by their vehicles. They can push away from their desk, take a brisk walk down the street or along the Genesee River, and return to work with new energy and focus.

The City of Rochester is seeing an impressive amount of economic development in the Center City. In neighborhood commercial areas, Rochester sees the beginnings of a great revitalization, and all of these developments are having a positive effect on every City neighborhood.

As the trend to work and live in urban centers continues to increase, the need to promote sustainable urban development also increases. The City has instituted programs to facilitate development and redevelopment based on the tradition of outstanding environmental stewardship. A few of these programs are highlighted here.

### ENVIRONMENTAL CLEANUP AND BROWNFIELD REDEVELOPMENT

Redevelopment in an urban environment requires due diligence to understand prior use implications on the environment and future use. The City’s



Division of Environmental Quality (DEQ) manages environmental investigations and cleanup projects, coordinates environmental regulatory compliance, conducts environmental audits, provides analysis on a variety of environmental issues, and provides support and management for brownfield redevelopment projects.

#### Program Responsibilities

Consistent with the City’s mission of environmental stewardship, the DEQ is responsible for the following programs:

- » *Environmental Management:* DEQ implements the environmental compliance program for City of Rochester facilities. DEQ and the City’s Department of Neighborhood & Business Development jointly manage the City’s Environmental Institutional Control program.

- » *Site Investigation and Cleanup:* DEQ performs environmental site investigations and cleanup projects to assess potential environmental liabilities associated with the City’s purchase or sale of properties and remediates environmental problems to allow for site redevelopment.
- » *Remediation System Operation:* DEQ performs routine operation and maintenance on a variety of soil and groundwater remediation systems at sites throughout the City.
- » *Brownfields Redevelopment:* Brownfields are abandoned or underutilized commercial and industrial properties that may have environmental problems. DEQ provides technical assistance to other City departments that are involved in redevelopment projects.

**Division of Environmental Quality**  
City Hall — Room 300B  
30 Church Street  
Rochester, New York 14614  
(585) 428-6855

#### Permit Controls for Environmental Conditions

The City utilizes a permit control tool (referred to as an Environmental Institutional Control) on some properties which have undergone environmental cleanups or have environmental problems. At these properties, underground cleanup systems and some contaminants may remain in the ground after cleanup projects have been completed. The City’s control tool provides a means to “flag” these properties in a computerized building information system, which is available at the City’s Permit Office.

When an individual applies for a permit for such property, the applicant is made aware of safety and environmental conditions at the property before site work begins. Call the DEQ at (585) 428-6855 before coming to City Hall to apply for a permit to see if the property is flagged and if special plans and approvals will be required.

**Environmental Institutional Control Program — Permit Controls for Environmental Conditions Brochure**



#### Brownfields Assistance Program

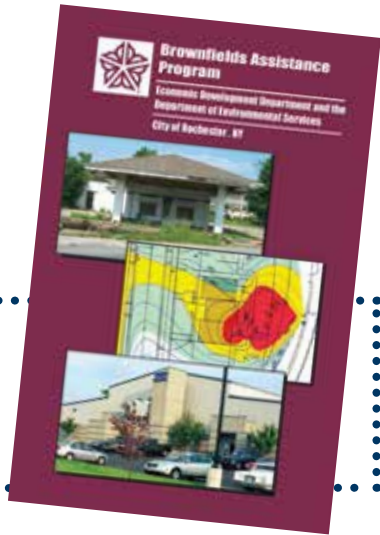
The objective of the Brownfields Assistance Program (BAP) is to attract investors who can develop underutilized land within the City’s designated industrial and commercial zones for their own profit, while contributing to the City’s economic health. If individuals are considering buying, selling, or redeveloping commercial or industrial real estate that needs environmental assessments or engineering studies, the City can help.

Funded under a federal grant, the BAP provides companies selling or seeking industrial or commercial property with financial and technical aid to study environmental conditions and help evaluate a project’s feasibility. Under the BAP, the City can:



- » Retain environmental consultants to perform pre-remedial site investigations
- » Provide these services on a cost-sharing basis
- » Give priority to projects providing economic benefits that best reflect the City’s development goals

» *Brownfields Assistance Program Brochure*



SUSTAINABLE DEVELOPMENT AND GREEN INITIATIVES

The City has adopted an environmental mission statement, which emphasizes a commitment to environmental management practices that provide a healthy and sustainable environment and enhance the quality of life for its citizens.

The City’s goal is to encourage a growing sense of stewardship — both within City Hall and the Rochester community — toward sustaining the environment and natural resources for future generations. The City’s Green Team, made up of representatives from every City department, provides expertise to guide the development of City policies and practices to ensure they are consistent with the environmental mission.

Private sector development provides additional opportunities for sustainable development. The following green initiatives should be considered:

ENVIRONMENTAL MISSION STATEMENT

The City of Rochester will demonstrate through practice and policy our commitment to exemplary environmental stewardship. The City, while cognizant of fiscal limits, is committed to the implementation of environmental management practices which will provide a healthy and sustainable environment and enhance the quality of life for our citizens.

Construction

- » Following the U.S. Green Building Council / Leadership in Energy and Environmental Design (LEED) standards
- » Purchasing policies that emphasize and encourage green products
- » Using alternative fuels or energy-saving equipment
- » Evaluating material selection for interior and exterior building materials for recycled content and local material
- » Evaluating interior material selection for indoor air quality impacts
- » Diverting construction and land clearing debris from landfill disposal
- » Redirecting recyclable-recovered resources back to the manufacturing process
- » Designing green infrastructure
- » Using green or sustainable remediation techniques
- » Redirecting reusable materials to appropriate sites
- » Buying and hiring locally to avoid or minimize delivery and travel costs

Operations

- » Promoting “green” product purchases including the use of recycled and reusable materials
- » Using alternative fuels and energy supplies
- » Promoting mass transit or other less-energy consuming modes of transportation

- » *Green Team*
- » *U.S. Green Building Council*



CITY OF ROCHESTER ENVIRONMENTAL VALUES

**Sustainability** — We carefully consider how to best design construction that can be maintained over time without damaging the environment, balancing near-term interests with the protection of future generations. We recognize the interdependence of environmental quality, economic growth, and social justice.

**Conservation** — We plan for the careful use of natural resources to prevent depletion, prevent pollution, and to do no harm to the environment. We strive to reduce energy consumption, waste generation, our dependence on fossil fuels, and production of greenhouse gases.

**Restoration** — We will work to clean up environmentally impacted lands that impede a sustainable environment. We will actively seek funding for and promote restoration of brownfields within the City.

**Compliance** — All City of Rochester facilities and operations will meet or exceed standards and regulations for compliance with state and federal environmental regulations.

**Leadership** — We will act as community models and educators in environmental stewardship. We will always strive to “do the right thing” in environmental matters.

**Continuous Improvement** — We will, on a regular basis, review our environmental program, identify opportunities for improvement, and implement changes when necessary.



03 | Know Your Site

While many development projects within the City entail redevelopment or infilling of existing buildings, opportunities also exist for new construction on greenfield or brownfield properties. Identifying a site that meets a developer’s objectives requires proper planning.

*Four attributes determine whether a parcel is ready for development:*



The first three criteria (suitability, developability, and accessibility) generally depend on the parcel’s inherent characteristics. The parcel’s owner has a good measure of control over these factors.

The final criterion, approvability (specifically the time it takes to attain approvals), depends on meeting municipal requirements, the requirements of New York State, and possibly the federal government. The ability to obtain permits and approvals can depend on the adequacy of information for the first three criteria.

Site must be:	Ask these questions to find out:	
SUITABLE	<p>Is the site appropriate for the intended use, or is there a better use? That is:</p> <ul style="list-style-type: none"><li>» Does it have the proper zoning?</li><li>» Can the site substantially provide for the developer's needs?</li><li>» Is sufficient infrastructure available?</li><li>» Is new construction or redevelopment of an existing building proposed?</li><li>» Are new access points proposed in the right-of-way?</li><li>» Are there obvious impacts associated with the project (i.e., traffic, demolition, tree removal, fill, contamination, proximity to sensitive uses)?</li><li>» Is it adjacent to a significant natural, historic, or community resource?</li><li>» Is the site in a City Preservation District?</li></ul>	<p><i>The need for discretionary local or state approvals requires compliance with the State Environmental Quality Review (SEQR) process. See Chapter 11.</i></p> <p> <b>► Preservation Districts</b></p>
DEVELOPABLE	<p>Can it be built upon using standard construction methods?</p> <ul style="list-style-type: none"><li>» Do the soils support foundations without piles?</li><li>» Are slopes too steep?</li><li>» Is the groundwater too close to the surface?</li><li>» Is bedrock too close to the surface for excavation?</li><li>» Are wetlands or floodplains present?</li><li>» Is there significant tree coverage?</li><li>» Are utilities sufficient?</li></ul>	<p><i>The cost of extending utilities to a site must be balanced with the expected economic return of the land.</i></p>
	<p>Has the site been remediated (if necessary) to allow for the proposed reuse?</p> <ul style="list-style-type: none"><li>» Is the site an abandoned or underutilized brownfield property that may need an environmental assessment?</li><li>» Are environmental condition reports available?</li><li>» Are regulatory sign-offs necessary to redevelop site?</li></ul>	
ACCESSIBLE	<p>Does the site have sufficient local and regional transportation facilities?</p> <ul style="list-style-type: none"><li>» These include: access points, a street network with sufficient capacity, bus access, and rail access</li></ul>	
APPROVABLE	<p>Does the development conform with zoning use and design requirements?</p> <p>Is the design compatible with surrounding buildings and the neighborhood?</p> <p>Can the site accommodate the developer’s intended use?</p> <p>Can permits be obtained in a timely manner?</p> <p>Will the community support or oppose the development?</p>	

04 | Know Your Community

Site development / redevelopment is an investment in the community. The City’s permit and review processes are necessary to ensure that such investment is accomplished in a manner that provides and maintains safe, attractive, and healthy neighborhoods; creates thriving commercial corridors; increases economic vitality in underserved areas; assists and develops industry; and creates jobs for its citizens.

The City promotes a team-oriented approach to development with residents, investors, and community partners in order to solve problems, address quality of life concerns, support businesses, and enhance neighborhoods. The application review process is often accomplished by land use boards comprised of citizens of the City — peers and neighbors within the community. Consequently, knowing the community is an integral component of the development process.

Do you know the answers to the following questions?

- 1. Is the proposed use or site modification consistent with the community’s goals and objectives (i.e., the City’s Comprehensive Plan and Zoning Code)?
- 2. Is the project likely to result in public controversy? What are the likely issues? Is there a plan in place to address these issues? Have you reached out to neighborhood organizations?
- 3. Are the community stakeholders supportive of the project?
- 4. What community-based financial incentives are available? See Chapter 20.

NEIGHBORHOOD ORGANIZATIONS

The City benefits from the involvement of many active neighborhood groups. Developers and investors should not underestimate the importance of reaching out to neighborhood groups early in the project design process.

ROCHESTER'S CENTER CITY

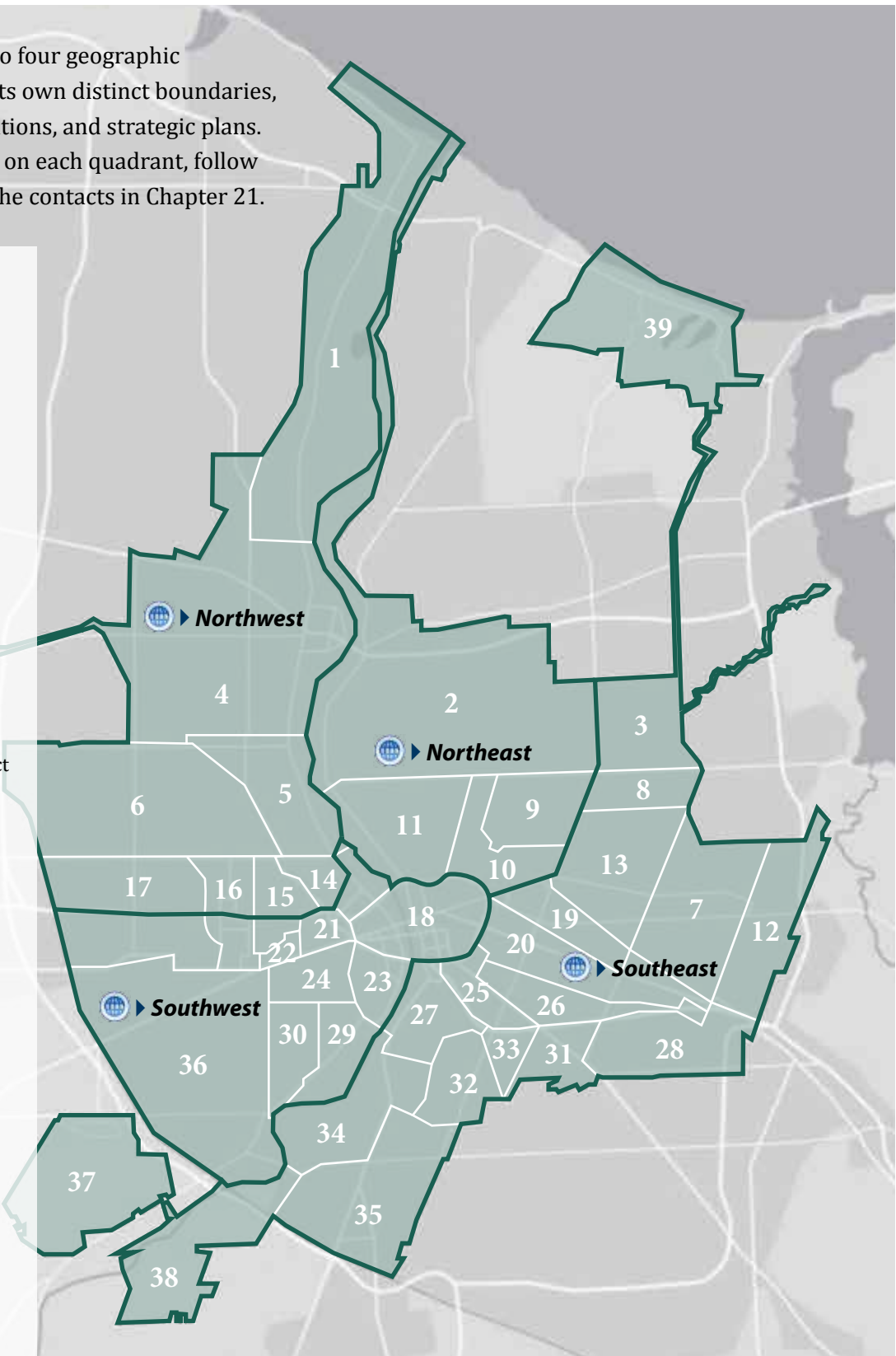
A growing number of people are also calling downtown home. Rochester’s rich history has bestowed the cityscape with a vast inventory of buildings with unique architecture and old-world charm that have been converted into loft apartments and condominiums. Common features include hardwood floors, exposed-brick walls, and floor-to-ceiling windows with panoramic views. These buildings are also the model for new construction projects that have seized on the advantage of location by offering residents walking-distance proximity to cultural amenities and office buildings.

- Neighborhood Service Center Locations
- City of Rochester Comprehensive Plan
- Business Services — City, State, and Federal Programs to Grow Your Business
- Preservation Districts

The City is divided into four geographic quadrants each with its own distinct boundaries, neighborhood associations, and strategic plans. For more information on each quadrant, follow the web links, or see the contacts in Chapter 21.

LEGEND

- 1. Charlotte
- 2. 14621
- 3. Northland-Lyceum
- 4. Maplewood
- 5. Edgerton
- 6. Lyell-Otis
- 7. Culver-Winton
- 8. Homestead Heights
- 9. N. Marketview Heights
- 10. S. Marketview Heights
- 11. Upper Falls
- 12. Browncroft
- 13. Beechwood
- 14. Brown Square
- 15. C.H.A.C.
- 16. P.O.D.
- 17. U.N.I.T.
- 18. Central Business District
- 19. Atlantic-University
- 20. East Ave.
- 21. Susan B. Anthony
- 22. B.E.S.T.
- 23. Cornhill
- 24. Mayors Heights
- 25. Pearl-Meigs-Monroe
- 26. Park Ave.
- 27. South Wedge
- 28. Cobbs Hill
- 29. Plymouth-Exchange
- 30. Genesee-Jefferson
- 31. Upper Monroe
- 32. Ellwanger-Barry
- 33. Swillburg
- 34. Highland
- 35. Strong
- 36. 19th Ward
- 37. Airport
- 38. Genesee Valley Park
- 39. Durand Eastman Park







PERMITTING



# 05 | Introduction to Project Permitting

The City of Rochester issues permits and licenses to protect the health, safety, and welfare of its citizens and visitors. The permitting process is also an important component in promoting sustainable economic development and smart growth initiatives necessary to protect its future.

Communication and coordination are integral to the permitting process. Pre-application meetings are encouraged to obtain consensus on application requirements, processes, and schedules. For City permits, a pre-application meeting with staff from the Permit Office is recommended. For state and federal permits, it is recommended that applicants contact the respective jurisdictional agencies.



## DISCRETIONARY VS. MINISTERIAL DECISIONS

Discretionary decisions involve choices to be made by the decision-makers that determine whether and how an action may be taken. Examples of discretionary decisions are:

- » Zoning changes
- » Subdivision plat approval
- » Site plan approval
- » Variances
- » Special Permits
- » Demolition Permits

Non-discretionary or "ministerial" decisions are based entirely upon a given set of facts, as prescribed by law or regulation, without use of judgment or individual choice on the part of the person or agency making the decision. Examples of ministerial decisions are:

- » Certificate of Zoning Compliance (CZC)
- » Building Permit
- » Electrical Permit
- » Plumbing Permit

## Notes



# 06 | Zoning Applications and Reviews

*Zoning approval is the first step in the building permit process.*

## WHAT IS ZONING?

Good planning and zoning are the means for developing and maintaining a vibrant community. Stable residential neighborhoods, thriving commercial districts, and well developed industrial areas make living, working, and investing in the City desirable.

Zoning is the means by which communities regulate the use of land and buildings to protect and promote the quality of life within their boundaries. Zoning regulations are also an important means of implementing the goals of the City’s comprehensive plan.

Under the Zoning Code, every City property is located in a specific zoning district and has an established legal use. If there was no Zoning Code, property owners could infringe on one another's use of property, nearby uses could be incompatible, structures could be built too close or too tall, the natural environment could be adversely impacted, and important historical and cultural assets could be lost.

Consequently, zoning regulations are written and revised as the means for developing and maintaining a vibrant community with stable residential neighborhoods, thriving commercial districts, and well developed industrial and institutional areas.

## ZONING APPLICATIONS AND REVIEWS

A permit application is required to initiate a zoning application and review. Permits are required to establish a use for a property, or to make improvements to it, and may be made by an owner or an individual with a contractual interest in the property, such as a lessee, contractor, or agent.

When an application for a permit is made to the City of Rochester, a Zoning Review is initiated, and an application for a Certificate of Zoning Compliance (CZC) is opened. The CZC is the mechanism by which a project is reviewed for compliance with the code.

The Zoning Code, Section 120 of the City Code, contains regulations determining the types of uses and development allowed in each zoning district, as well as many detailed aspects of a development,

such as accessory uses, parking, setbacks, screening, landscaping, and to some extent, design.

Approximately fifteen different types of zoning districts exist in the City of Rochester, each with their own unique set of regulations for uses and development. There are also certain regulations applied "City-wide" or to "specified uses."

Zoning regulations also identify certain legislated approval processes that may be required to approve changes to a property. Variances, Special Permits, Certificates of Appropriateness, Site Plan Approvals, and Subdivisions / Resubdivisions are the most commonly needed types of special approvals. Special approvals sometimes waive requirements written in the Zoning Code.



## ZONING APPROVALS

### Certificate of Zoning Compliance

When applying for a building permit, applicants must submit plans and a CZC review is initiated. This can be done at the Permit Office or with individual staff by appointment. Call the Permit Office with questions at (585) 428-7043.

The CZC process represents the City’s “gating process” for development projects. Through the CZC process, applicants will either receive an approval to “go-ahead” and obtain required building permits, or a denial which includes identification of the specific zoning review process required to achieve an approval.

If the project complies with the Zoning Code, the application is approved and the applicant may then continue with completing the building permit process. If the application is denied, the applicant may choose to revise the plans or pursue one or more of the following special zoning processes: Special Permit, Site Plan Review, Variance, Certificate of Appropriateness, etc. In addition, as discretionary approval processes, these types of applications typically require the filing of a State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) (Chapter 11). Zoning approval pathways are summarized in the ensuing sections.






## STATE ENVIRONMENTAL QUALITY REVIEW PROCESS





When the City makes a decision about a proposed action (*e.g.*, discretionary decision), it must give equal consideration to environmental protection, human and community resources, and socioeconomic factors. The State Environmental Quality Review (SEQR) process provides a means for the City to evaluate possible environmental impacts of a proposed action. The SEQR process requires the City to determine if the proposed action will or will not have significant adverse impacts on the environment based on information provided by the applicant in an Environmental Assessment Form (EAF), and other supporting documents. A majority of the applications submitted to the Permit Office are either exempt from SEQR review (*e.g.*, ministerial permits such as CZCs or building permits) or result in the City’s issuance of a “Notice of Determination of Non-Significance” (Negative Declaration) because it is determined that they will not result in a significant adverse impact. Seldom do projects get issued a “Notice of Determination of Significance” (Positive Declaration) requiring the applicant to prepare an Environmental Impact Statement (EIS). For more information on the SEQR process, see Chapter 11.

- City Code: Section 120
- Requirements Applying to All Districts
- Additional Requirements for Specified Uses








## 07 | Summary of Permitting Processes




The Permit Office is the "one-stop-shop" for information on City permits and licenses. Regardless of the project size, experienced Permit Office staff is available to assist customers in obtaining required approvals. Typical zoning-related approvals are listed below.









PROCESS	APPROVING AUTHORITY	FEE
Administrative Adjustment Application	Director of Planning & Zoning	\$100
Administrative Adjustments are minor specified deviations from otherwise applicable zoning requirements. Administrative Adjustments are intended to allow flexibility in property development without requiring the time and expense of approval through a public hearing process. (See Section 120-191A of the City Code.)		
<b>Triggers:</b> Carrying out the strict letter of a provision of the City’s Zoning Ordinance may cause a practical difficulty and an Administrative Adjustment is permitted to alleviate these practical difficulties. Review is initiated upon applicant’s request.		
 Administrative Adjustment Process	 Administrative Adjustment Application	
Administrative Appeal Application	Zoning Board of Appeals	\$100
An Administrative Appeal provides redress by any person aggrieved by a decision of the Director of Planning & Zoning. (See Section 120-195A of the City Code.)		
<b>Triggers:</b> An appeal of a decision made by the Director of Planning & Zoning may be taken to the Zoning Board of Appeals within 60 days of the decision. The appeal process is initiated upon applicant’s request.		
 Administrative Appeal Process	 Administrative Appeal Application	
Amendment	City Planning Commission, City Council	\$400 / \$750*
An Amendment allows for changes to the Zoning Code or the Zoning District Map because of changing, newly discovered, or newly identified conditions or information.		
* \$400 for zoning map and text amendments to existing Planned Development (PD) District Designations, Institutional PDs (IPD), or Manufacturing-Institutional PDs (MIPD) / \$750 for new PDs		
<b>Triggers:</b> Amendments may be proposed by the Mayor, the City Council, the Planning Commission, the Zoning Board of Appeals, or the Preservation Board by transmitting such proposal, together with such supporting materials as may seem appropriate, to the Director of Planning & Zoning for processing. A proposed amendment may be initiated by an owner of, by a person having a contractual interest in, or by the owners of 50% or more of the frontage of real estate to be affected by the proposed amendment.		
 Amendment Process and Application		

PROCESS	APPROVING AUTHORITY	FEE
Business Permits	Permit Office, Neighborhood Service Centers	\$25 / \$300*
The City of Rochester’s Business Permit Program is designed to ensure that City businesses are operated safely and legally. Certain types of City businesses are required to obtain a Business Permit, and as with all businesses, must maintain good order on the business premise and obey the codes and laws of the City of Rochester and the State of New York.		
* \$25 new / \$25 renewal / \$300 conditional		
<b>Triggers:</b> The following businesses are required to hold a valid Business Permit to operate: automobile service facilities, bar, drugstore, food store, laundromat, restaurant, retail store, barber shop / salon / tattoo parlor, entertainment*, secondhand dealer*, amusement center*, pawnbroker*.		
*Businesses that are required to hold other City licenses do not have to pay the Business Permit fee. However, they are required to obtain a Business Permit. Information regarding additional business, vendor, and gaming licenses can be found on the City’s website ( <a href="#">link</a> ).		
 Business Permit Application	 Business Permit Renewal	
Certificate of Appropriateness Application	Rochester Preservation Board	\$100
This application is used for approval of improvements, alterations, removals, and site changes affecting a Preservation District or local Landmark Property to ensure compliance with specific preservation standards established to preserve the integrity of any structure, improvement, landscape feature, or cultural site that has been determined to merit special protection.		
<b>Triggers:</b>		
» It shall be unlawful for any person to perform, cause, or permit any construction, alteration, remodeling, removal, movement, or demolition of any structure, improvement, landscape feature, or cultural site which has been designated a landmark or which is located within an area which has been designated as a Preservation District.		
» No person shall secure or issue a permit authorizing any such work unless a Certificate of Appropriateness with respect to such work and, in the case of demolition of a principal structure, with respect to the new construction proposed to replace such structure shall have first been issued.		
» Use of the alternate sign programs in Preservation Districts shall require a Certificate of Appropriateness.		
» The following shall require a Certificate of Appropriateness: parking areas in the side and front yard subject to the criteria set forth in § 120-191A(4) and side yard air-conditioning units and the like subject to the criteria set forth in § 120-191A(4)(c)[7] of the City Code.		
 Certificate of Appropriateness Process	 Certificate of Appropriateness Application	



PROCESS	APPROVING AUTHORITY	FEE
Certificate of Nonconformity	Director of Planning & Zoning	\$150
<p>A nonconformity is any use of land, building or structure, including an accessory use, which does not comply with the Zoning Code regulations of the zoning district in which the property is located, unless granted by Variance. Nonconformity uses are often referred to as “grandfathered uses.” (See Sections 120-199 through 120-202 of the City Code.)</p> <p><b>Triggers:</b> An application for a Certificate of Nonconformity is required to establish the rights to, and determine the status of a specific nonconformity. This application can be used to determine if abandonment has occurred, to change from one nonconformity use to another, to verify a property’s legal use, or, in special cases, to extend the period of vacancy.</p> <div><div> Certificate of Nonconformity Process</div><div> Certificate of Nonconformity Application</div></div>		
Interpretation of Zoning Code Application	Director of Planning & Zoning	\$100
<p>An Interpretation clarifies the intent and applicability of the Zoning Code for a given application. (See Section 120-191C of the City Code.)</p> <p><b>Triggers:</b> A request for interpretation of any provision of this chapter shall be submitted in writing to the Director of Planning &amp; Zoning. Interpretations are intended to clarify the zoning text or map, including permitted uses, district boundaries, meaning and intent of various portions of this chapter, and precise location of mapped district boundary lines.</p> <div><div> Interpretation of Zoning Code Process</div><div> Interpretation of Zoning Code Application</div></div>		
Resubdivision	Maps and Survey	\$50
<p>Resubdivision applications are required for minor transfers of land and lot combinations, not creating an increase in the number of parcels or irregular lot lines.</p> <div> Resubdivision Application</div>		
Site Plan Review Application	Director of Planning & Zoning	\$250 / \$500*
<p>Site Plan Review is a formal detailed review of a project or proposal required under Section 120-191D of the City Code to assess the plans for a given site. Site Plan Review establishes how a project may not comply with applicable codes and regulations, assesses the project’s elements of design and function, identifies necessary referrals to other public agencies, and often includes project recommendations.</p> <p>* \$250 Minor / \$500 Major</p> <div><div> Site Plan Review Process</div><div> Site Plan Review Application</div></div>		

PROCESS	APPROVING AUTHORITY	FEE
Special Permit Application	City Planning Commission	\$250
<p>Special Permits are authorized under Section 120-192B of the City Code to establish some unique uses that may be suitable for an area, but which could have some special impact to that area, requiring a careful review of their location, design, configuration, and other considerations.</p> <p><b>Triggers:</b> Each zoning district has its own list of specially permitted uses. There are also specified uses requiring Special Permit approval City-wide.</p> <div><div> Special Permit Process</div><div> Special Permit Application</div></div>		
Street and Sidewalk Right-of-Way Permit	City Engineer	Varies
<p>Permits are required for all work performed in the public right-of-way (ROW). Each dedicated street in the City of Rochester has a public ROW. The ROW includes the pavement, curbing and sidewalks; the area between the sidewalk and the curb; and, in most residential areas, a strip of land two feet wide extending from the sidewalk toward the residential property. Work that requires a permit includes street openings, driveway construction, encroachments, street obstructions, new water services and renewals, water abandonments, and use of hydrants and barricades. (See Sections 104-1 to 140-38 of the City Code.)</p> <p><b>Triggers:</b> Permits are required for the following activities (this is a partial list):</p> <ul style="list-style-type: none"><li>» Constructing any type of encroachment (such as signs, awnings, sidewalk cafes, marquees, areaways, fully-opened doors, air conditioners, etc.) which may intrude upon the public ROW</li><li>» Any type of excavation in the public ROW such as installing, repairing, or replacing of water services or sewer laterals, and installing or repairing of any type of underground utility</li><li>» Repairing or replacing of any sidewalk in the public ROW</li><li>» Resurfacing, widening, or closing of an existing driveway</li><li>» Installing a new driveway</li><li>» Installing, replacing, or removing street curbing</li><li>» Storing materials, dumpsters, or equipment in the public ROW</li><li>» Parking any heavy equipment such as cranes in a public street</li><li>» Moving any oversized vehicles or overweight equipment or loads on public streets</li><li>» Installing a new street that will become officially dedicated to the City upon completion</li><li>» Erecting a new utility pole, or removing or relocating an existing utility pole</li><li>» Requesting the City to disconnect a water service (of any size)</li><li>» Using a hydrant for dust control during demolition work</li></ul> <div> Street and Sidewalk Right-of-Way Application</div>		

PROCESS	APPROVING AUTHORITY	FEE
<b>Subdivision</b>	Director of Planning & Zoning	\$200
The creation of five or more parcels or subdivisions that propose new private or public streets and/or parcels with no street frontage requires a public hearing with the City Planning Commission.		
An exempt subdivision (fewer than five parcels), where no private or public streets are proposed, and all lots having frontage and driveways on existing, improved public streets are not subject to a public hearing.		
<b>Triggers:</b> A Subdivision application is required when the division of land creates one or more additional lots, parcels, etc.		
 Subdivision Process	 Subdivision Application	
<b>Variance — Area</b>	Zoning Board of Appeals	\$250
An Area Variance is an authorization for the use of land related to a dimension such as size, height, and setback; physical requirements; the expansion, structural alteration, or enlargement of a nonconforming use; a waiver of additional requirements for specified uses; any City-wide or City Center design standards. Area Variances are granted when applicants show that negative impacts of the proposal do not outweigh the benefits to the applicant. (See Section 120-195B of the City Code.)		
<b>Triggers:</b> An Area Variance application is required when compliance with the Zoning Code is not possible, including yard, space, bulk design or other such requirements.		
 Area Variance Process	 Area Variance Application  Area Variance Statement of Difficulty	
<b>Variance — Use</b>	Zoning Board of Appeals	\$250
A Use Variance is defined to be an authorization for the use of land for a purpose that is otherwise not allowed or prohibited by the Zoning Ordinance. No Use Variance can be granted unless it is shown that the property cannot yield a reasonable return as a permitted use, and it will not negatively impact a neighborhood. (See Section 120-195B of the City Code.)		
<b>Triggers:</b> A Use Variance application is required when a use is proposed that is prohibited within the zoning district.		
 Use Variance Process	 Use Variance Application  Statement of Unnecessary Hardship	

## 08 | Public Hearing Process for Zoning Decisions

Zoning-related reviews are coordinated through the Permit Office. Permit Office staff will assist in the advancement of applications through the appropriate review process starting with submission of the application and culminating in the permit decision. Typical application review steps are summarized below. Consult with Permit Office staff to identify the specific process associated with a project.

### STEP 1: PROJECT PLANNING AND ANALYSIS.

- ☐ Schedule a pre-application meeting with Permit Office staff to review the project including

identifying City permit application requirements and review timeframes.

### STEP 2: APPLICATION

- ☐ Prepare and submit the application(s) to the Permit Office with accompanying documentation (site plan, elevations, floor plans, etc., as indicated on the application form).

☐ Pay the appropriate permit application fee(s).  
☐ Submit State Environmental Quality Review (SEQR) documentation, if required.

### STEP 3: APPLICATION REVIEW

- ☐ The application will be reviewed by Permit Office staff for determinations of completeness.

☐ In the case of incomplete applications, the applicant will be notified as to the deficiencies. Incomplete applications result in project delays.

☐ Complete applications will be disseminated to appropriate City staff, departments, committees, boards / commissions, and the public for review.

☐ Project referrals may result in project changes.

☐ If necessary, applicants will be notified in writing of the date, place, and time of a public hearing, including posting requirements. It is the applicant’s responsibility to attend the public hearing to present their proposal and to answer questions posed by the reviewing authority.
- ☐ The applicant will be notified in writing as to the reviewing authority’s decision on the application(s), including potential follow-up actions. An approval may not authorize the proposed work to proceed, but may require the filing of applications for other permits and approvals required by the City Code.

### STEP 4: AFTER THE DECISION

- ☐ The rights to a City approval may expire within a specific timeframe. The applicant should review the decision and conditions closely. Permit Office staff is available to discuss the permit and answer applicant questions.

☐ Applicant’s may appeal any City permit decision typically within 30 days of the filing date of the decision. Contact Permit Office staff for appeal-related requirements, processes, and review standards.
- ☐ Prior to the expiration of the approval, the applicant may request an extension.

A non-refundable fee may apply for an extension of time.



# 09 | Site Plan Review

Site Plan Review is the examination of the design elements of development proposals to ensure that a project does not adversely affect the site or adjacent properties. It is also a tool to assist applicants by alerting them to any deficiencies, which should be corrected prior to development. Most major projects are subject to this review.

Site Plan Review is a formal detailed review of a project or proposal required under Section 120-191D of the City Code to assess the plans for a given

site. Site Plan Review establishes how a project may not comply with applicable codes and regulations, assesses the project’s elements of design and function, identifies necessary referrals to other public agencies, and often includes project recommendations.

This process is often required before a project goes to an approval from a board or commission. Site Plan Review findings will assist a board or commission in their decision-making.

## STEP 1: APPLICATION

- ❑ Site Plan Review application
- ❑ Application fee: \$250 (Minor); \$500 (Major)
- ❑ One copy of the denied Certificate of Zoning Compliance (CZC), including signature by a Building Code Plan Reviewer
- ❑ One copy of the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) (Chapter 11)
- ❑ One copy of an Instrument Survey Map
- ❑ Three copies of a scaled site plan (a site plan checklist is provided with the Site Plan Review application package)
- ❑ One copy of a scaled floor plan
- ❑ One copy of scaled elevations of proposed structures, or façade renovations to existing structures
- ❑ Photographs of the subject site, structures on the site, and surrounding properties

- ❑ One set of all drawings, graphics, and photographs no larger than 8 ½ x 11” or reduced to 8 ½ x 11” or provided digitally in PDF format on CD-ROM
- ❑ For projects in the Center City District, the Design Criteria Checklist and accompanying description of minor deviations
- ❑ Digital images of all project drawings, graphics, and storyboards in PDF format on CD-ROM
- ❑ For Major Site Plan Reviews, site section schematics, superimposed photography, color renderings, or other type of visual aids depicting the proposed development in its built condition within the site and surrounding neighborhood
- ❑ Other information as determined by the Director of Planning & Zoning

All plans must be stamped by a design professional licensed in the State of New York.

## STEP 2: APPLICATION REVIEW

The Director of Planning & Zoning is authorized under the City Code to approve all site plans.

Larger or more complex proposals, deemed “Major Site Plan Reviews,” must be referred to the City’s

Project Review Committee (PRC). The Site Plan Review process is an administrative process which means it requires no public hearing. Specific review steps are outlined below.

- ❑ A Staff Planner assigned to the project will contact the applicant to introduce him/herself, provide the applicant with their phone number, explain the process, and answer questions.
- ❑ The project will be referred as necessary to various City departments and other agencies, and to official neighborhood contacts (see Chapter 04) for comments and recommendations.

## STEP 3: AFTER THE DECISION

- ❑ Site Plan Approval does not authorize the commencement of work. A Site Plan Approval package containing a letter specifying the conditions of the Approval and a copy of the approved site plan will be sent to the applicant by mail. The applicant is required to bring this approval package to the Permit Office to obtain the required permit(s).
- ❑ A financing plan with an Irrevocable Letter of Credit, or other form of security, may be required to ensure the completion of certain site improvements. In addition to the Letter of Credit, when required, the applicant must file a fully executed agreement in the form provided by the City of Rochester. These documents must be filed prior to the issuance of permits.
- ❑ Site Plan Approval will expire within one year of the receipt of the decision if a building permit is not obtained and maintained. The applicant may request an extension in writing from the Director of Planning & Zoning prior to the expiration of the approval.

- ❑ If the application is for Major Site Plan Review and requires a referral to the PRC and Rochester Environmental Commission (REC), meetings will be scheduled. Meetings of the PRC and REC are open to the public and the applicant. The PRC and REC make their recommendations to the Director of Planning & Zoning.
- ❑ The Staff Planner will process information received from the referral agencies, review the project for code compliance, and either prepare preliminary findings, a prerequisite to additional approvals, or a final decision for cases that do not require additional approvals.

- ❑ If the Director of Planning & Zoning has denied the application and has suggested alternatives, the applicant may submit a new application with a revised site plan incorporating these alternatives. The applicant or any person aggrieved by a decision on a Site Plan application may, within 30 days of the issuance of a decision, file a written request with the Director of Planning & Zoning asking that the application be referred to the City Planning Commission for review and decision. The decision of the City Planning Commission is final.



# 10 | Subdivisions and Resubdivisions

The City defines subdivisions as the division of one or more lots or parcels which result in an increase of one or more total lots or parcels. Subdivisions that propose new private or public streets and/or parcels with no street frontage, require a public hearing with the City Planning Commission. An exempt subdivision (fewer than five parcels), where no new private or public streets are proposed, and all lots having

frontage and driveways on existing, improved streets, are not subject to a public hearing.

The City defines resubdivisions as minor transfers of land and lot combinations, not creating an increase in the number of parcels or irregular lot lines. Resubdivisions require approval by the Director of Planning & Zoning.

## STEP 1: PROJECT PLANNING AND ANALYSIS

- ☐ Review the Subdivision or Resubdivision application requirements to identify existing and required information. Subdivision plats are typically prepared by surveyors, which must be licensed by New York State.
- ☐ For both subdivisions and resubdivisions, review and compare proposed lot sizes with zoning requirements and development plans to ensure adequate spatial requirements.
- ☐ Contact the Permit Office to schedule a pre-application meeting to discuss the project, application requirements, review process, and schedule.

## STEP 2: APPLICATION

- ☐ Subdivision application
- ☐ Resubdivision application
- ☐ Application fee: \$200 (Subdivision); \$50 (Resubdivision)
- ☐ Fifteen copies (folded) of the subdivision map (plat) containing information listed on the application form

### Subdivision and exempt Subdivision application requirements:

- ☐ Two copies of the application
- ☐ A Tax Certificate from the City Treasurer (City Hall — Room 100A) and County Treasurer (County Office Building — Room B2, 39 West Main Street) verifying that all taxes and charges for this property have been paid through the entire tax year
- ☐ Two copies of a Tax Map (8 ½ X 11”) showing all affected properties (available from Maps and Survey, City Hall — Room 225B)

### Resubdivision application requirements:

- ☐ Two copies of the application
- ☐ Two copies of a Tax Map showing all of the parcels involved from Maps and Survey, City Hall — Room 225B. Maps and Survey staff will assist individuals in preparing this application and the required map.
- ☐ Two sets of City Tax Certificates for each of the parcels showing that the taxes are paid in full for the current tax season. City Certificates can be obtained from the City Treasurer, City Hall — Room 100A.

- ☐ Two sets of County Tax Certificates for each of the parcels showing that the taxes are paid in full for the current tax season. County Certificates can be obtained from the County Treasurer in the County Office Building — Room B2.

- ☐ Site ownership and deed information
- ☐ Characterization of existing buildings and improvements on the parcel(s)

## STEP 3: APPLICATION REVIEW

Applications should be submitted by appointment to the Permit Office. Subdivisions are referred to City, County, utility, and other agencies for comment. Those requiring City Planning Commission approval will be referred for public hearings to grant or deny

Subdivision requests. Public hearings for Subdivisions are scheduled after the subdivision has been referred to utility agencies and comments have been received. Resubdivisions are reviewed by the Director of Planning & Zoning; no public hearing is conducted.

## STEP 4: AFTER THE DECISION

- ☐ For Subdivisions, an appeal from any decision of the Board must be taken within 30 days of the filing date of the decision in accordance with Article 78 of the New York Civil Practice Law and Rules.
- ☐ For Resubdivisions, if the Director of Planning & Zoning has denied the application, and has suggested alternatives, the applicant may submit a new application incorporating these alternatives. The applicant or any person aggrieved by a decision to deny a Resubdivision may, within 30 days of the issuance of a denial letter, file a written request with the Director of Planning & Zoning asking that the application be referred to the City Planning Commission for review and decision. The decision of the City Planning Commission is final.
- ☐ Creation or modification of realty subdivisions often require additional review and approval by other local and state agencies including the New York State Department of Environmental Conservation

- (NYSDEC), Monroe County Department of Health, and New York State Department of Health (NYSDOH) (*i.e.*, for water and sewer service). Consult with those agencies to identify and understand potential requirements.
- ☐ Upon final approval, a subdivision map (plat) must be submitted, drawn in waterproof ink on permanent tracing film (Mylar or other equivalent material) and circulated for plat approvals by City and County authorities. All revisions to the map must be noted and dated on the revised map. This map must be filed in the Monroe County Clerk’s Office and must meet all the requirements established by Monroe County.





# 11 | State Environmental Quality Review

The State Environmental Quality Review (SEQR) is an integral part of the local and state discretionary permitting and approval process. Potential project-related impacts and the means to reduce or eliminate those impacts (mitigation) are evaluated before permits and approvals are issued.

The SEQR process is a tool to facilitate development and disseminate project-related information to

reviewing agencies so they can assess how the development may affect the environment. Although a government agency implements SEQR, the permit applicant must provide project information in an Environmental Assessment Form (EAF). Staff from the City’s Permit Office is available to guide applicants through the SEQR process in conjunction with local permitting needs.

## STEP 1: DETERMINE APPLICABILITY

SEQR is required when a local or state agency undertakes, funds, or approves an action. Documented compliance with SEQR is necessary for discretionary permits and approvals such

as Special Permits, Site Plan Review, Variances, Certificates of Appropriateness, and brownfield funding. Permit Office staff will assist in identifying SEQR applicability.

## STEP 2: CLASSIFY THE ACTION

The SEQR process includes three types of actions which affect the type of required review. Upon submission of an application, the receiving agency will classify the type of SEQR action. The three types of actions consist of:

- ☐ **Type I:** Actions and projects that are more likely to have an adverse impact on the environment
- ☐ **Type II:** Actions or classes of actions that are not subject to SEQR review
- ☐ **Unlisted:** All actions not identified as a Type I or Type II action

## STEP 3: PREPARE EAF

Applications for discretionary City permits and approvals require submission of an EAF<sup>1</sup>. A majority of these projects are classified as Unlisted Actions, which require preparation of the “Short Form” EAF. Applications for Type I Actions, which are more likely to result in a significant environmental

impact, require submission of the “Long Form” EAF. The applicant is required to complete Part I (Project Information) of the EAF and submit it with the special process application to the Permit Office to initiate the review process.

## STEP 4: COORDINATE REVIEW

If the project is determined to be a Type II action, no further SEQR processing is required. For Type I actions, the SEQR requires a maximum 30-day

coordination period with other agencies to establish a Lead Agency. The Lead Agency is responsible for complying with SEQR and coordinating with other

Involved and Interested Agencies throughout the SEQR process. The City’s SEQR process requires the following coordinated review:

- ☐ **Type I Actions:** Coordinate all state and local Involved Agencies to establish a Lead Agency. In addition, the permitting agency sends a referral to the Rochester Environmental Commission (REC). The seven-member REC's responsibility is to provide recommendations on environmental assessments required by the City. The REC recommendation is reviewed by the Lead Agency.
- ☐ **Unlisted Actions:** Coordinate all City Involved Agencies to establish a Lead Agency.<sup>2</sup>

## STEP 5: LEAD AGENCY DETERMINES SIGNIFICANCE

The Lead Agency determines the significance of the proposed action. Information reviewed by the City Lead Agency in making the determination consists of:

- ☐ REC recommendations
- ☐ Technical (staff) and public comments
- ☐ EAF Parts I, II, and III (parts II and III are completed by the Lead Agency)

Potential “Determinations of Significance” consist of:

- ☐ **Notice of Determination of Non-Significance (“Negative Declaration”):** ends the SEQR process, which allows a decision on the application (approval, disapproval, or approval with conditions)
- ☐ **“Conditioned Negative Declaration” (Unlisted Actions only):** initiates a 30-day public comment period. At the end of the public comment period, the Lead Agency

### AGENCIES

**Involved Agency** — an agency that has jurisdiction by law to fund, approve, or directly undertake an action. If an agency will ultimately make a discretionary decision to fund, approve, or undertake an action, then it is an “Involved Agency,” notwithstanding that it has not received an application for funding or approval at the time the SEQR process is commenced. The Lead Agency is also an “Involved Agency.”

**Interested Agency** — an agency that lacks the jurisdiction to fund, approve, or directly undertake an action, but wishes to participate in the review process because of its specific expertise or concern about the proposed action. An “Interested Agency” has the same ability to participate in the review process as a member of the public.

**Lead Agency** — an Involved Agency principally responsible for undertaking, funding, or approving an action, and therefore responsible for determining whether an EIS is required in connection with the action, and for the preparation and filing of the statement if one is required.

- will either issue a conditioned approval or a “Positive Declaration.”
- ☐ **Notice of Determination of Significance (“Positive Declaration”):** indicates that implementation of the project may result in at least one significant adverse impact requiring the preparation of an Environmental Impact Statement (EIS). The EIS process is summarized in the remaining steps.



***SEQR for a majority of City-permitted projects is typically completed at step 5 with a Negative Declaration.***

**STEP 6: DEFINE SCOPE OF THE DRAFT EIS**

SEQR does not require public and agency scoping of the EIS (*i.e.*, predetermining the content of the EIS), but such “scoping” is very useful from the applicant’s point of view. It settles among the parties involved what the content of the EIS must be, what does not need to be evaluated, as well as information and data requirements.

**STEP 7: PREPARE DRAFT EIS**

The applicant prepares the draft EIS, which must be consistent with the final scoping document. The draft EIS describes the action, the environmental setting, potential significant adverse environmental impacts, and mitigation measures that can minimize or eliminate environmental impacts. Additionally, it evaluates reasonable alternatives to the proposed action, including taking no action.

**STEP 8: ACCEPTANCE OF THE DRAFT EIS**

After the applicant submits the draft EIS, the Lead Agency has a suggested limit of 45 calendar days to determine if the scope and content of the document are adequate for public review.

**STEP 9: PUBLIC AND AGENCY COMMENT PERIOD**

At a minimum, the public, government agencies, and other stakeholders have 30 days to review and comment on the draft EIS.

**NEGATIVE DECLARATIONS**

Most projects result in a Negative Declaration. Getting a Negative Declaration may require a project modification to mitigate adverse impacts.



**STEP 10: PUBLIC HEARING**

The City of Rochester requires a public hearing on the draft EIS. Public hearings are an integral component of the environmental review process, and an additional mechanism to solicit public input and participation.

**STEP 11: PREPARE THE FINAL EIS**

The Lead Agency is responsible for the content of the final EIS regardless of who prepares it. Responses to substantive comments on the draft EIS are an integral part of the final EIS.

**STEP 12: ACCEPTANCE OF THE FINAL EIS**

The Lead Agency has 45 calendar days from the close of the hearing record to file its accepted final EIS. No comment period or hearing on the final EIS is required.

**STEP 13: PREPARATION OF SEQR FINDINGS**

The Lead Agency and other agencies involved in the permitting present their findings no fewer than ten calendar days from the filing of the notice of completion of the final EIS. The issuance of SEQR findings completes the SEQR process.

<sup>1</sup> It is noted that the EAFs required for City applications are different than the state forms available on the New York State Department of Environmental Conservation (NYSDEC) website. For City applications, use the City forms.

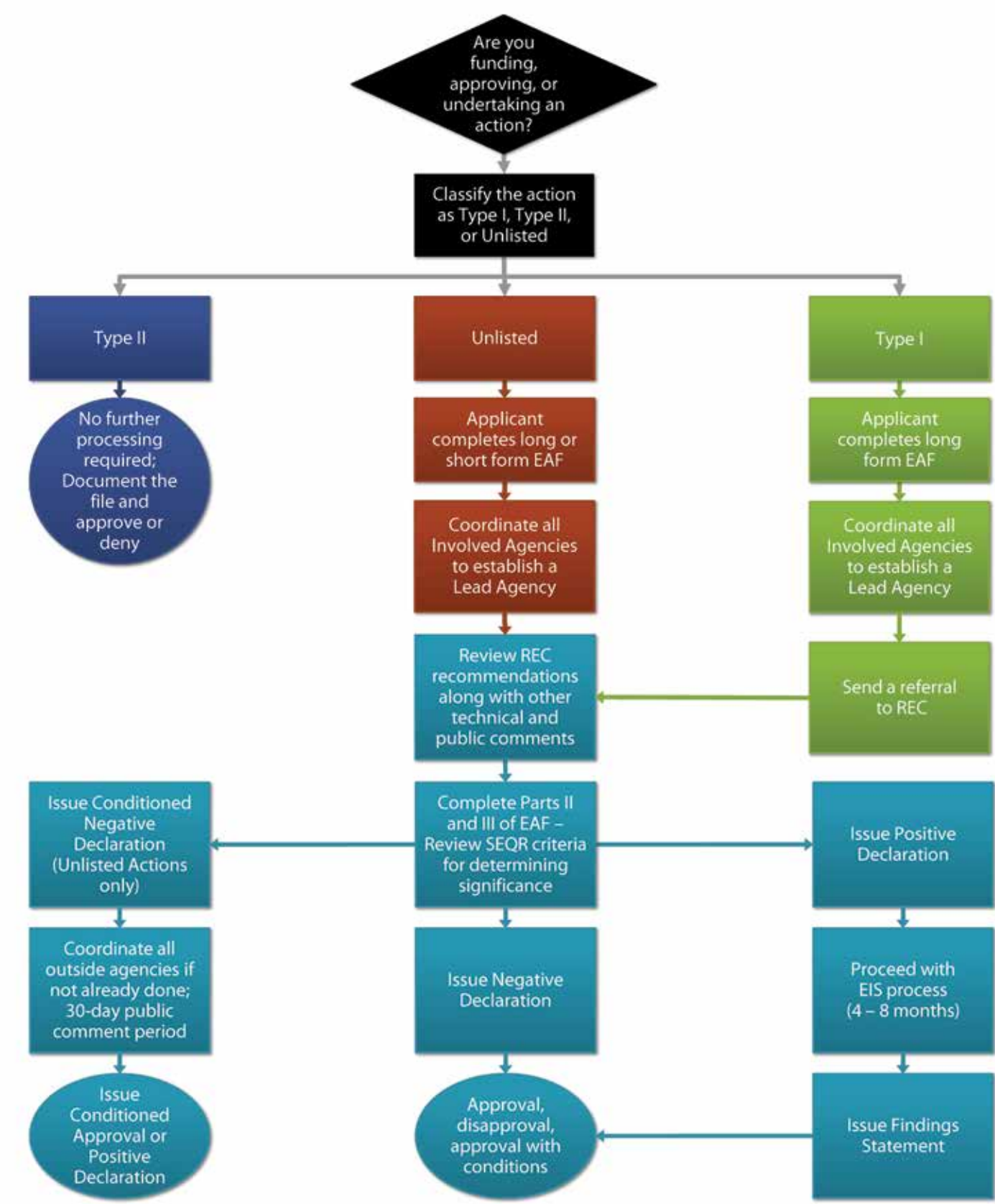
<sup>2</sup> The requirement to coordinate among all City Involved Agencies for Unlisted Actions is a City-specific requirement. In contrast to uncoordinated review for Unlisted Actions outlined in the state implementing regulations (6 NYCRR Part 617), coordinated review among City agencies for Unlisted Actions will minimize potential delays and duplicate effort.



- ▶ Type I Actions
- ▶ Type II Actions
- ▶ Short Form Environmental Assessment Form
- ▶ Long Form Environmental Assessment Form



11 | State Environmental Quality Review (continued)



12 | Building Permits

To complete the permitting process, after zoning approval is obtained, construction drawings must be submitted to the Permit Office to get reviewed for compliance with the NYS Uniform Fire Prevention and Building Code.

Building permit fees are usually based upon the cost of the project’s labor and materials, although flat fees are sometimes charged, such as to permit a storage shed, a fence, or an outdoor deck.

To expedite the plan review process, multiple sets of construction documents are required for simultaneous review. All residential and commercial projects require two complete sets of construction documents. Plan reviews for large projects often require multiple reviews, such as for building, plumbing, electrical, elevator, and fire department codes. The City does not provide design services. Applicants are responsible for providing plans with sufficient code information to conduct a complete code review. Required documents may vary based on the project size and complexity. A complete set of the approved construction documents will be returned to the applicant when the Permit is approved. A set of approved drawings is transferred to the inspection staff for inspections during construction.

Plumbing and Electrical Permits are filed for separately in the Permit Office. A single family owner-occupant may apply for his or her own permit only if personally doing the work. All other work must be applied for and performed by a City of Rochester licensed electrician and/or plumber.

Either a Certificate of Completion or a Certificate of Occupancy completes the permit process. These documents are the City’s assurance to a prospective buyer, current owner, or tenant that the building substantially conforms to standards as of the date of issuance.

CODE REVIEWS

Plans must comply with the New York State Uniform Fire Prevention and Building Code, which includes the following specific codes:

- » *New York State Building Code*
- » *New York State Fire Code*
- » *New York State Mechanical Code*
- » *New York State Fuel Gas Code*
- » *New York State Plumbing Code*
- » *New York State Energy Conservation Construction Code*
- » *New York State Residential Code*
- » *New York State Property Maintenance Code*

Reference codes such as the following are also reviewed:

- » *National Fire Protection Association (NFPA) (fire alarms, sprinkler systems)*
- » *International Code Council (ICC) / American National Standards Institute (ANSI) (handicapped accessibility)*
- » *American Society of Mechanical Engineers (ASME) (elevators and the National Elevator Code)*

- ▶ *Applying for a Building Permit Brochure*
- ▶ *Permit Information, Brochures, and Fee Schedules*
- ▶ *Certificate of Occupancy*

# 13 | Business Permits

All businesses in the City must maintain good order on the business premise and obey the codes and laws of the City of Rochester and the State of New York. In addition, certain types of City businesses

are also required to obtain a Business Permit. The City’s Business Permit Program is designed to ensure that these types of City businesses are operated safely and legally.

## BUSINESSES REQUIRED TO OBTAIN AND MAINTAIN A VALID BUSINESS PERMIT TO OPERATE\*

<b>Automobile Service Facilities</b>	A premise where motor vehicles are sold, leased, repaired, or serviced, including gasoline stations and car washes
<b>Bar</b>	A premise where alcoholic beverages are sold for consumption on the premise
<b>Drugstore</b>	A premise where prescription drugs are sold at retail, together with dry goods, food, or beverages
<b>Food Store</b>	A premise which 50% or more of its sales area is devoted to the sale of food and beverage items to be consumed off the premise
<b>Laundromat</b>	A premise where washing machines and dryers are available for public use
<b>Restaurant</b>	A premise where food and/or beverages are sold to be consumed on the premise
<b>Retail Store</b>	Any business that is accessible to the public where goods, merchandise, or equipment are sold, rented, or leased at retail (excludes non-profit businesses)
<b>Salon</b>	An establishment, other than home occupation, where a hairdresser, barber, or beautician conducts their trade, or a body piercing or tattoo studio

\*Summary definitions

### STEP 1: APPLICATION

- ❑ Complete the Business Permit application form providing all necessary information (including the number of any other licenses or permits required for the business).
- ❑ Bring the completed application with photo identification and \$25 application fee (checks payable to City of Rochester Treasurer) to the

City’s Permit Office (City Hall — Room 121B, 30 Church Street). Businesses that are required to hold other City permits or licenses, including entertainment, secondhand dealer, amusement center, or pawnbroker, do not have to pay the permit fee. However, they are required to obtain a Business Permit.

### STEP 2: APPLICATION REVIEW

- ❑ The application will be reviewed by City staff to ensure that the business meets zoning and

code requirements. Completed applications are forwarded to the appropriate Neighborhood

Service Center (NSC) for processing. A background check is performed. A property inspection may be required. The applicant will be contacted within 30 days to schedule an inspection if it is necessary.

- ❑ If no issues are identified during staff review, the Business Permit will be granted within 30 days of receipt of a complete application. The permit will be mailed to the business address on the application and will be valid for one year, as

long as there is no change in the type, location, owner, or operator of business, or there is no cause for the permit to be suspended or revoked.

- ❑ If there is sufficient cause for concern on the part of the City about the operation of the business, the business owner will be notified in writing of the City’s intention to issue a conditional permit or deny a permit. Applicants will have an opportunity to respond.

### STEP 3: AFTER THE DECISION

- ❑ The permit will include the business name, business owner and/or operator, type of business, and approved hours of operation. The permit is required to be posted at the premises. The permit will be valid for a period of one year

unless otherwise revoked and must be renewed annually. A new permit is required whenever there is a change to the name, type, location, or owner and/or operator of the business.

### STEP 4: RENEWALS

- ❑ Complete the Business Permit Renewal form, which will be mailed from the NSC, providing all necessary information. The applicant will receive notification of the need to renew the Business Permit 30 to 60 days prior to the month in which it was granted.
- ❑ Review the application that is enclosed with the notification and make any necessary changes. If there have been no changes to the type, location, owner, or operator of the business, sign and return the application to the NSC office. Applications that are received within 30 days of receipt of the notification letter will be processed free of charge. Otherwise, enclose the \$25 fee (checks payable to City of Rochester Treasurer) and mail the application to City of Rochester, Permit Office, City Hall — Room 121B, 30 Church Street, Rochester, New York 14614.

- ❑ *Please note:* If the type, location, owner, or operator of the business has changed, the applicant must apply for a new Business Permit at the Permit Office.
- ❑ The application will be reviewed by NSC staff. If no issues are identified, the Business Permit will be granted and mailed to the applicant within 30 days. If there is cause for concern in the operation of the business, the owner will be notified of the City’s intentions within 30 days.







## UTILITIES AND INFRASTRUCTURE

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# 14 | Water Supply

Sustainable development / redevelopment is based, in part, on having adequate infrastructure. The City of Rochester is fortunate to have an abundant supply of high quality water from both the Hemlock Lake and Canadice Lake supplies, as well as from Lake Ontario via the Monroe County Water Authority (MCWA).

Sufficient water for potable and non-potable use requires due diligence to identify the adequacy of supply vs. demand including any limiting factors (*i.e.*, pipe size, pumping capacity, existing user needs, etc.) that might restrict the ability to provide sufficient water to the user for an intended use. Limiting factors that might influence the type and magnitude of development should be identified and addressed early in the planning process.

The City of Rochester provides potable water to its residents and businesses. Each property that has an active, metered service can consume water from the distribution system. The City’s Water Bureau, a division of the Department of Environmental Services (DES), is responsible for administering the supply, treatment, and distribution of water to City customers. The Water Bureau is authorized to issue permits and promulgate waterworks specifications associated with new or modified connections to the City’s award-winning public water supply system.

## PERMITS AND APPROVALS

Permits are required for the installation of a new water service (domestic, fire, or combination) between the water main and the building or the renewal or replacement of an existing water service between the water main and the curb valve. Water service permits will be issued only to plumbers licensed by the City to perform the work except for



single family owned / occupied properties. Approval of a backflow prevention device is also necessary for services having a nominal inside diameter greater than 1½ inches, or where required by the City Water Bureau or the New York State Plumbing Code. Water Service Permit applications will require the review and approval by the City Water Bureau and possibly the Health Department.

A **New Water Service Permit** (Water Bureau) requires a permit from the Water Bureau for the tap (connection) and the Permit Office for the installation on private property.


A **Water Service Renewal Permit** (Permit Office) is necessary if the existing water service to a property is being renewed or replaced between the curb valve and the building.

A **Water Service Abandonment Permit** (DES) is required if an existing active or running water service(s) to a property is to be disconnected from the water main and abandoned. This applies to the situation when a building is demolished or when a new water service is installed on a property.

In addition to water service connection related permits, other permits may be required to perform the work. Coordinate with respective jurisdictional agencies to obtain information regarding application requirements and timeframes.

- » City DES — **City Right-Of-Way Permit** for work within City street right-of-way (ROW) (see Chapter 19)
- » New York State Department of Transportation (NYSDOT) — **Utility Work Permit** for work performed within a New York State highway ROW

- » Monroe County Department of Health — **Approval of Plans for Public Water Supply** for all new water main installations and water main replacements within the City

 **Water System Useful Documents (including Water Engineering Design Guidelines)**





# 15 | Wastewater

A majority of new development results in the generation of wastewater flows (sanitary and process), which require conveyance and off-site treatment. Sustainable development is not just based on the adequacy of the sewer main in the ground, but assurances that all components of the system are adequately sized or have adequate capacity to manage the additional flows (*i.e.*, pipe, pumping and treatment capacity).

For issues relating to wastewater management, the point-of-contact is the Monroe County Department of Environmental Services (MCDES), Division of Pure Waters. The County’s Division of Pure Waters manages the interceptor sewers, treatment facilities, pump stations and sewer collection systems for the Rochester Pure Waters District, which encompasses the City limits. The County’s Division of Pure Waters oversees the permit processes associated with connections and discharges to the public sewer infrastructure.



## PERMITS AND APPROVALS

A **Rochester Pure Waters District Sewer Connection Permit** is required for projects resulting in new or increased stormwater (see Chapter 16) or wastewater discharges, and/or connections to the public sewers, and all sanitary, combination, and storm mainline sewer extensions. The permit process incorporates review and approval of engineering plans.

A **Sewer Use Permit** may be required by Monroe County for discharges that may potentially harm or have an impact on the County sewer system or wastewater treatment plant; require treatment greater than that of wastewater considered ‘normal sewage’; or is from an industry that meets the applicability for U.S. Environmental Protection

Agency (EPA) Categorical Pretreatment Standards. Sewer Use Permit applications are available from MCDES, Office of Industrial Waste.

A **Plumbing Permit** is required for plumbing improvements. Permit applications and information regarding the review process are available from the City’s Permit Office.

The City of Rochester maintains and requires contractors to use uniform specifications for the construction of public works projects within the City. The specifications are divided into several categories, including public works construction details for connections to City sewer infrastructure.

### NORMAL SEWAGE

“Normal Sewage” means sewage, industrial wastes, or other wastes, which when analyzed, show concentration values with the following characteristics based on daily maximum action levels:

a. Biological Oxygen Demand (BOD)	300 mg/l
b. Total Suspended Solids	300 mg/l
c. Total Phosphorus, as P	10 mg/l

Discharges exceeding these action levels may be subject to a sewer surcharge for the treatment of the wastewater.

Refer to the Monroe County Pure Waters Districts Rules and Regulations for additional information.



- ▶ U.S. EPA Categorical Pretreatment Standards
- ▶ Monroe County Pure Waters Sewer Use Law
- ▶ Monroe County Pure Waters Districts Rules and Regulations
- ▶ Monroe County Initial Sewer Use Permit
- ▶ Plumbing Permit
- ▶ Permit Information, Brochures, and Fee Schedules
- ▶ Public Works Construction Details



# 16 | Stormwater

Managing stormwater runoff in an urban setting requires additional focus due to increased quantities resulting from the density of impervious surfaces and potential increased pollutant loads inherent to urbanization. Identify how New York State’s stormwater management program applies to the site development activities.

If the limits of construction activities disturb one or more acres, obtain coverage under the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) (*Note: see below for City requirements, which affect land disturbances less than one acre*). Under the NYSDEC General Permit, the applicant is required to prepare and implement a stormwater pollution prevention plan (SWPPP, see Step 3). This plan includes practices

### CITY REQUIREMENTS

In addition to New York State requirements, the City has enacted requirements as part of its building permit application process. Check out the City’s Site Preparation and Stormwater Pollution Prevention requirements in the City’s Building Code, which outline requirements to prevent nuisances from being created by erosion, sedimentation, or drainage.

that are designed to manage the quantity and quality of runoff, including green infrastructure requirements. The City of Rochester partners with the NYSDEC in regulating stormwater runoff. Both State and City requirements are summarized below.

## STEP 1: PROJECT PLANNING AND ANALYSIS

- ❑ Identify and calculate the acreage of “work area” limits. be reviewed as part of the City’s Site Plan Review and/or building permit processes.
- ❑ Identify what erosion and sedimentation control (E&SC) measures will be implemented to manage runoff during construction. The E&SC plan will

## STEP 2: APPLICATION

- ❑ Prepare and maintain a SWPPP, if required, including an E&SC Plan.
- ❑ For projects with land disturbance over an acre, submit a Notice of Intent (NOI) to NYSDEC at least five days before construction start-up to obtain coverage under the NYSDEC’s SPDES General Permit (NYSDEC, Division of Water, Bureau of Water Permits, 625 Broadway, Albany, NY 12233-3505). Keep a copy of the SWPPP at the construction site.
- ❑ Submit a Notice of Termination (NOT) to NYSDEC when construction and restoration activities are finished. This filing concludes the NYSDEC’s SPDES General Permit process.
- ❑ Submit Site Preparation Permit application to City Permit Office.
- ❑ Prepare State Environmental Quality Review (SEQR, Chapter 11) for the Site Preparation Permit, and State Historic Preservation Office (SHPO)<sup>1</sup> documentation.



## STEP 3: CONTENTS OF THE SWPPP

Prepare SWPPP in accordance with good engineering practices. If any change is made in design, construction, operation, or maintenance of the project, modify the SWPPP. Also, if any control measures prove to be ineffective, modify the SWPPP. At a minimum include:

- » Site description
- » Appropriate structural and non-structural measures that will be implemented
- » Maintenance procedures
- » Inspection procedures
- » Discharges unrelated to stormwater

After construction, stormwater discharges may also require authorization under a general or site-specific permit. Consult with the NYSDEC.

### MS4

The City of Rochester is considered a “Municipal Separate Storm Sewer System” (MS4). As an MS4, the NYSDEC requires that the SWPPP be reviewed and approved by the City prior to submission of the NOI. Coordinate preparation and review of the SWPPP with the City during the Site Preparation Permit approval to avoid delays.

<sup>1</sup> The NYSDEC’s General Permit (GP-0-10-001) requires that the SWPPP include information on whether stormwater discharges or construction activity would have an effect on a property (historic or archaeological resource) that is listed or eligible for listing on the State or National Register of Historic Places; as well as results of historic and archaeological sensitivity screening determinations. Requirements and information resources are identified in the General Permit.



# 17 | Power and Transmission

## SITE PREPARATION PERMIT APPROVAL PROCESS

In addition to the NYSDEC’s Stormwater Permit for Construction Activity, the City has enacted a **Site Preparation Permit** as part of its review of Site Plan and/or building permit applications. Site preparation activity is defined as construction activity, including clearing, grading, excavating, soil disturbance, or placement of fill, that results in land disturbance of equal to or greater than 10,000 square feet, or activities disturbing less than 10,000 square feet that are part of a larger common plan of development or sale, even though multiple separate and distinct land disturbance activities may take place at different times on different schedules. Application requirements vary based on “work area” limits as summarized below.

Any applicant requesting Site Plan Approval or a Site Preparation Permit which would require the disturbance of greater than or equal to one acre of land shall also submit an SWPPP that shall be reviewed and approved by the City of Rochester prior to issuance of approvals.



- ▶ City of Rochester Building Code
- ▶ Land Disturbance Activity Approval Process
- ▶ Permit Application Fee
- ▶ Stormwater Pollution Prevention Plan Requirements
- ▶ Notice of Intent
- ▶ Notice of Termination
- ▶ MS4 Stormwater Pollution Prevention Plan Acceptance Form

- New York State and City guidance on SWPPP content can be found in the following documents:**
- ▶ New York Standards and Specifications for Erosion and Sediment Controls
  - ▶ New York State Stormwater Management Design Manual
  - ▶ Stormwater Pollution Prevention Plan Requirements

In the City of Rochester, permits for electrical work can only be obtained by an electrician licensed by the City. Electrical permits are only issued to properties

with a legal use. If there is no current Certificate of Occupancy or a Certificate of Occupancy under review, no electrical permit will be authorized.

## INFRASTRUCTURE

Every development needs power, and power needs vary by type and size of development.

The basic choices of power are electricity, natural gas, and liquefied gases such as propane. Derivative

power can be used in the form of steam and chilled water. Diesel fuel may power back-up or emergency generators. In addition, green power considerations (biomass, wind energy, photovoltaics) have become sustainable “green” options.

## CONNECTION TO EXISTING POWER SOURCE

It is essential to learn whether sufficient power is available for the type of development that is anticipated.

- ❑ Identify the demand for power and the type of power needed (electricity, natural gas, steam).
- ❑ Identify supplies, especially transmission capacities.
- ❑ Identify the vendors available for (1) supply and (2) transmission and the energy rates. Rochester Gas & Electric (RG&E) owns and maintains a majority of the electric and natural gas infrastructure within the City limits. In

addition, the Public Service Commission maintains a list of energy service companies that can provide for development and redevelopment energy requirements.

- ❑ Identify required improvements to the infrastructure for each type of power needed. Determine the cost of providing sufficient power to the site.

When considering power supplies, keep an eye on the future. Today’s end-user may have limited power needs, but by supplying limited power, future site users will be similarly constrained. The marketability of the site will also be constrained.

Depending on the development parcel site and proposed end-users, the developer may need to create available area for power facilities such as substations, combined heat & power (CHP), and transmission lines. Outline the need for such facilities early in the development planning process.



- ▶ Public Service Commission



# 18 | Telecommunications

There is a strong base of telecommunications services and equipment firms in Rochester along with a highly-educated workforce. This

winning combination has enabled more than 170 telecommunication firms to thrive in the region.

## INFRASTRUCTURE

Today’s land development cannot be considered separate from telecommunications, because the global economy affects nearly all enterprises.

The developer of a commercial or industrial site must consider three types of communication facilities:

- ❑ The long distance system for intercity communications
- ❑ The regional or local distribution system — critical for consideration of some digital subscriber line (DSL) and fiber optic connections
- ❑ Building-wide (or campus-wide) systems such as local area networks (LANs) — especially important for “smart” buildings and “green” buildings
- ❑ Wireless networks to facilitate e-mail and mobile access to business application servers

## OPPORTUNITIES

Large enterprises that may occupy the proposed development can choose to construct their own local communication system and bypass the facilities of the local telephone or Internet service providers. These private networks can include thousands of phone lines and data connections with satellite access.

Some developers choose to provide LANs that are building- or campus-wide. The developers can partner with telecommunication providers and act as a reseller of the service to tenants. Thus, the telecommunication services can act both as an attractant to tenants and as a source of revenue for the site owner.

Other development considerations for the site owner include the possibility of having cell towers on-site and leasing building roofs for communication facilities. Beyond that, a limited number of developments rely solely on telecommunication equipment and the electricity that powers them, such as server farms or a point of presence (POP), the physical location where an interexchange carrier’s circuits interconnect with the local lines of telephone companies.

## CITY REGULATION OF WIRELESS COMMUNICATIONS

The City’s Zoning Code (§ 120-143) outlines policies, procedures, and regulations for these types of facilities. Depending upon the specific zoning district in which the project is located and the type of facility proposed (*e.g.*, antennas), a Special Permit may be required. The regulations were enacted to protect the community from the visual or other adverse impacts of these facilities, while ensuring comprehensive wireless telecommunication service in the City of Rochester with its benefits to residents and businesses.

The regulations govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation, and removal of all personal wireless communication facilities. The zoning regulations reflect a policy that expresses a preference that antennas be located on existing buildings and towers rather than on newly constructed towers. The facilities are also regulated by provisions of the Building Code and other federal and state regulations pertaining to such facilities.

▶ Personal Wireless Telecommunications Facilities

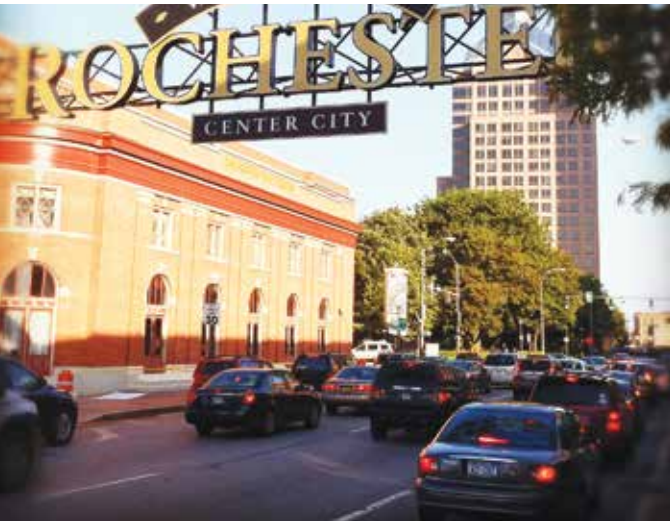




# 19 | Transportation

Roadways — their layout, capacity, and proximity to the site — are crucial to the success of the project. Other transportation modes — airports, railroads, and ports — are important in varying ways to different enterprises, but roads are essential to all. The road network supports commuter traffic, public transportation, and deliveries and shipping to and from the site.

In addition, outside of the urban center, developers may need to work within the right-of-way (ROW) to extend utilities, create curb cuts, and improve the highway with turning lanes or signals. When doing so, they must first secure a permit.



## STEP 1: PROJECT PLANNING AND ANALYSIS

- ☐ Identify the scope of work and identify the application materials needed for permits.
- ☐ Identify the government entity that controls the road that is needed to modify or gain access from (state, county, or city).
- ☐ Identify state, municipal, and privately owned ROWs and easements.
- ☐ Establish a pre-application meeting with the discretionary agency. The City Department of Environmental Services (DES) is responsible for construction, maintenance, and service to City streets. The City's Permit Office oversees the DES permitting process for work performed in the City's public ROWs. In most instances, the New York State Department of Transportation (NYSDOT) is responsible for construction,

### RIGHT-OF-WAY PERMIT APPLICATION

Permits are required for all work performed in the public right-of-way (ROW). Each dedicated street in the City of Rochester has a public ROW. The ROW includes the pavement, curbing, and sidewalks; the area between the sidewalk and the curb; and, in most residential areas, a strip of land two feet wide extending from the sidewalk toward the residential property. Work that requires a permit includes street openings, driveway construction, encroachments, street obstructions, new water services and renewals, water abandonments, and use of hydrants and barricades.

An individual who applies for a permit will be required to provide a description of the proposed work, a work schedule, and a certificate of liability insurance. In addition, scaled drawings or plans of the proposed work, an Irrevocable Letter of Credit, and proof of workers' compensation and disability insurance may be required.

- maintenance, and service to State highways that pass through the City. Monroe County Department of Transportation provides advisory services upon request to the City.
- ☐ Identify off-site highway and infrastructure improvements that the project will require, such as turning lanes, signals, or work in the ROW. To be in a position to identify such improvements might require a study that evaluates project-related traffic and the roads most likely to be used by the new traffic. Such a study is usually performed to support the State Environmental Quality Review (SEQR) (see Chapter 11).

## STEP 2: APPLICATION

Coordinate both the scope of the analysis and the review process that is used with the permitting authority. If the project affects a City ROW, consult with the Permit Office. The application typically includes:

- ☐ ROW Permit application
- ☐ Work description and plans
- ☐ Work location information
- ☐ Work schedule
- ☐ Certificate of liability insurance
- ☐ Irrevocable Letter of Credit
- ☐ Proof of workers' compensation and disability insurance (if necessary)
- ☐ Fees
- ☐ SEQR documentation (if necessary)



- ☐ Retain a traffic consultant, if necessary.
- ☐ Conduct field studies, generate data, and complete the analysis (define study parameters in consultation with the approving agency).
- ☐ Identify alternatives for handling the traffic of the site (including multi-modal access).
- ☐ Identify mitigation measures.
- ☐ Submit the analysis to the reviewing agency for review and approval.









# 20 | Housing Assistance Resources

The Department’s Neighborhood and Business Development, Bureau of Business and Housing Development works with developers by providing technical assistance, financial assistance and other services to achieve the following objectives:

- » Increase Affordable Housing both Rental and Homeownership;
- » Mixed Income and Mixed Use Projects;
- » Permanent Supportive Housing;
- » Neighborhood Revitalization;
- » A Catalyst for Increased Community Investment.

## City Housing Assistance Program

- » **Gap financing for:** new or redevelopment of existing housing projects that compliment other City investments, increases the tax base, adhere to MBE/WBE and workforce development goals  
*Eligible Projects:* acquisition, rehabilitation, construction and related costs  
*Available Assistance:* low interest construction and permanent financing
- » **Brownfield Assistance Program:** The program may be used for Phase I environmental site assessments, Phase II investigations, subsoil and geotechnical investigations, feasibility analyses, development of Environmental Management Plans. Can be used with other City and New York State grant and loan programs. Grants funds are used for consultant reports, with City paying two-thirds and the developer/owner paying one third of the cost.

## Monroe County Resources

For County County-wide housing development-related financial assistance, contact the Monroe County Department of Planning & Development,

Division of Planning and Economic Development or County of Monroe Industrial Development Agency.

## New York State Resources

### *New York State Energy Research and Development Authority (NYSERDA)*

NYSERDA offers cost-sharing on technical assistance engineering studies, financial incentives and low-interest loans for electrical energy efficiency upgrades involving new construction and comprehensive facility upgrades. NYSERDA also provides financial incentives for the installation of renewable energy generation technologies such as solar and wind.

### *New York State Housing and Community Renewal*

Developers seeking financing for new construction, substantial rehabilitation and moderate rehabilitation of site-specific, affordable, multi-family rental housing.

### *New York State Homeless Housing Assistance Corporation/New York State Homeless Housing Assistance Program*

The Homeless Housing and Assistance Program (HHAP) provides capital grants and loans to not-for-profit corporations, charitable and religious organizations, municipalities and public corporations to acquire, construct or rehabilitate housing for persons who are homeless and are unable to secure adequate housing without special assistance.

### *Regional Economic Development Council*

The City of Rochester is part of the Finger Lakes Regional Economic Development Council initiative. As part of this initiative, a Consolidated funding Application (CFA) was developed as an easy-to-use online application to access development resources from multiple New York State agencies and authorities through one application.

## Additional Resources

### *Enterprise Community Partners*

They work with developers, community residents and other stakeholders to create high-quality housing.

They offer assistance in land development, design and construction; Leveraging a full range of public and private financing programs.

### *Federal Home Loan Bank (FHLB)*

**Affordable Housing Program (AHP):** FHLB set aside 10% of its private earnings to support the creation and preservation of housing for lower income families and individuals through the Affordable Housing Program (AHP). AHP funds are awarded to members who submit applications on behalf of project sponsors who are planning to purchase, rehabilitate, or construct affordable homes or apartments. Funds are awarded through a competitive process which typically takes place either once or twice a year, at the FHLB’s discretion.

**Funds:** can be used for: Acquisition, construction, or rehabilitation of rental housing and owner-occupied housing

**Eligible projects may include:** Shelters, Transitional Housing, Mutual Housing Associations, Group Homes, 1-4 unit houses, Co-ops, Condos, Apartments and Single-room occupancy facilities

### *Greater Rochester Housing Partnership*

The Greater Rochester Housing Partnership is a non-profit lender to developers and builders of affordable housing. It offers short term financing for the creation and preservation of rental housing and home ownership. Financing is available through-out the Finger Lakes region. Predevelopment, bridge financing and construction loans are also available.

### *United States Department of Housing and Urban Development*

Provides funding to municipalities to assist in the development of affordable housing and the revitalization of communities. Funding include annual entitlements such as Community Development Block Grant (CDBG), HOME, Emergency Solutions Grant (ESG) and Housing Opportunities for Persons with Aids (HOPWA). They are also able to provide technical assistance.



## 21 | Project Development Assistance and Resources

The Project Development division, in the Department of Neighborhood and Business Development, works with developers of mixed-use, primarily market-rate, projects located downtown and in the neighborhoods. Our resources are used to: encourage the adaptive reuse of vacant, usually formerly commercial buildings into mixed use; provide gap financing for mixed-use, market rate projects; and leverage federal, state, and other local sources of funds for mixed-use projects. The priorities of the Project Development division are as follows:

- » Increase the City’s tax base through new private investment and creating real estate value;
- » Stabilize and grow the City’s residential population;
- » Stabilize and revitalize downtown and city neighborhoods;
- » Create construction and permanent full-time jobs for city residents; and
- » Facilitate and accommodate emerging markets in land use that are compatible with and complement existing neighborhoods;
- » Ensure alignment with the City’s Comprehensive Plan.

### Project Development Resources

**Gap financing for:** new construction or rehabilitation of existing mixed-use structures. Financing takes the form of low interest construction and/or permanent financing and requires some community benefits in return.

 Application For Gap Financing

### Special Payment in Lieu of Taxes (PILOT) Program:

This incentive is available on a project-by-project basis, and may be used for mixed-use projects with demonstrable need.

 Application for Support Letter for Special PILOT

### Project Development Resources:


#### RG&E Assistance Programs

RG&E offers economic development assistance to help make upstate New York State an attractive place to do business. RG&E intends to play a viable role in encouraging businesses to remain in New York State and to attract new companies to our region.

More information about the RG&E programs can be found here: RG&E Economic Development Assistance (search “economic development programs”).

#### The Finger Lakes Regional Economic Development Council

The City of Rochester is part of the Finger Lakes Regional Economic Development Council initiative. As part of this initiative, a Consolidated funding Application (CFA) was developed as an easy-to-use online application to access development resources from multiple New York State agencies and authorities through one application.financing.

 Finger Lakes Regional Economic Development Council

## 22 | Funding Resources

### CITY OF ROCHESTER RESOURCES

The City of Rochester strives to help local business owners find programs and incentives to support their success. The City’s Department of Neighborhood & Business Development, Bureau of Business and Housing Development works with industrial businesses, neighborhood commercial and retail businesses, high technology firms, and Center City businesses to provide technical, financial, and other services to achieve the following three objectives:

- » Job creation and retention
- » Increased investment
- » Downtown and neighborhood revitalization

City business assistance programs include:

#### Financial Assistance Program

- » *Financial assistance for:* new or expanding City businesses to stimulate private sector job retention and/or creation, investment within the City of Rochester, and increases in the City’s tax base
- » *Eligible projects:* acquisition, construction, and/or renovation of real estate, fixture and equipment purchases, furniture, machinery acquisition, and working capital
- » *Available assistance:* low interest loans, grants, and interest rate subsidy grants

#### Building Renovation Matching Grant Program

- » *Financial assistance for:* qualified businesses located within, or moving into the City

- » *Eligible projects:* interior or exterior building renovations and/or building improvements, including security enhancements
- » *Available assistance:* 50/50 matching grants of up to \$30,000

#### Main Street Assistance Program

- » *Financial assistance for:* businesses and property owners located in the downtown Rochester area to promote investment and job creation / retention in the core area of Rochester’s Center City
- » *Eligible projects:* real estate acquisition, fixture and equipment purchases, furniture, working capital, interior and exterior building improvements, and environmental remediation
- » *Available assistance:* low interest loans up to \$250,000, interest rate subsidy grants, and 50/50 matching grants of up to \$30,000

#### Targeted Business Assistance Program

- » *Financial assistance for:* targeted small businesses which may have barriers to obtaining the capital necessary for business growth and development
- » *Eligible projects:* acquisition, construction, and/or renovation of real estate, fixture and equipment purchases, furniture, working capital, and must result in the creation and/or retention of private sector jobs
- » *Available assistance:* low interest loans, interest rate subsidy grants, and 50/50 matching equity grants



Pre-Development Matching Grant Program

- » *Financial assistance for:* established firms / developers of industrial or commercial projects that meet the City’s economic development goals
- » *Eligible projects:* environmental investigations and other feasibility studies which are needed to determine the cost of redeveloping brownfields or other City sites
- » *Available assistance:* matching grants up to \$25,000

Rochester Economic Development Corporation (REDCO) Revolving Loan Fund

- » *Financial assistance for:* new or expanding City businesses to stimulate private sector job retention and/or creation, investment within the City of Rochester, and increases in the City’s tax base
- » *Eligible projects:* acquisition, construction, and/or renovation of real estate, and machinery and equipment purchases
- » *Available assistance:* low interest loans

 [Rochester Economic Development Corporation](#)

U.S. Small Business Administration (SBA) 504 Loan Program, or Certified Development Company (CDC) Program


- » *Financial assistance for:* small businesses located within, or moving into the City
- » *Eligible projects:* land, buildings, machinery and equipment, or for constructing, modernizing, renovating, or restoring facilities

- » *Available assistance:* long-term, fixed rate financing. A 504 project includes a loan secured with a senior lien from a private-sector lender, a loan secured with a junior lien from a CDC (a 100% SBA-guaranteed debenture) covering up to 40% of the total project cost, and a contribution of at least 10% equity from the borrower. Loan amounts are based on project costs and new jobs projected to be created over a two year period.

 [U.S. Small Business Administration](#)

U.S. Department of Housing and Urban Development (HUD) Section 108 Business Loan Program

- » *Financial assistance for:* qualified businesses located within, or moving into the City of Rochester
- » *Eligible projects:* acquisition, construction, and/or renovation of real estate, purchase of equipment, and working capital
- » *Available assistance:* loans up to \$500,000. Loan amounts are based upon a minimum formula of \$35,000 in loan funds per one new job created or retained over a three year period.

 [U.S. Department of Housing and Urban Development](#)

Brownfield Assistance (See Chapter 02)

The following programs are funded with grants provided by the U.S. Environmental Protection Agency (EPA):

- » **Brownfields Assistance Program (BAP)** — The program may be used for Phase I environmental site assessments, Phase II investigations, subsoil

and geotechnical and geotechnical investigations, feasibility analyses, development of Environmental Management Plans, and legal costs associated with negotiating voluntary investigation or clean-up agreements. The program may also be used in conjunction with other economic development financing programs. The BAP provides assistance to prospective purchasers or sellers of industrial properties for investigating environmental conditions as part of their early feasibility analysis of economic development projects. Grant funds are used for consultant reports, with the City paying two thirds and the business owner paying one third of the cost. The City will cover the entire cost of the consultant report if the environmental conditions of the site prove to be unsuitable for redevelopment.


- » **Brownfields Cleanup Revolving Loan Fund** — Provides assistance to business owners / real estate developers for the cleanup of brownfield

sites. Priority for funding will be based on the extent to which the project meets the City’s economic development goals of job creation and retention, increasing the tax base, and adding to the inventory of available land for industrial development. The program is available to industrial firms located in, or moving into the City of Rochester. Low cost, fixed rate loans are available for projects involving the removal, mitigation, or prevention of a release of a hazardous substance, pollutant, or contaminant, including asbestos. All loan recipients are required to enroll in one of the New York City Department of Environmental Conservation (NYSDEC) remediation programs and the NYSDEC will provide technical oversight of cleanup activities.

 [City of Rochester Business Development Contacts](#)

MONROE COUNTY RESOURCES

For County-wide economic development-related financial assistance, contact the Monroe County Department of Planning & Development, Division of Economic Development, or the County of Monroe Industrial Development Agency.

 [Monroe County Department of Planning & Development, Division of Economic Development](#)  
 [County of Monroe Industrial Development Agency](#)

NEW YORK STATE RESOURCES

Empire State Development (ESD)

ESD is New York’s chief economic development agency. The mission of ESD is to promote a vigorous and growing economy, encourage the creation of new job and economic opportunities, increase revenues to the state and its municipalities, and achieve stable and diversified local economies.

Through the use of loans, grants, tax credits, and other forms of financial assistance, ESD strives to enhance private business investment and growth to spur job creation and support prosperous communities across New York State. ESD, with co-headquarters in Albany, Buffalo, and New York City, is supported by a network of ten regional

offices throughout the State. ESD’s Finger Lakes Regional Office is located in Rochester.

▶ *ESD Finger Lakes Regional Office*

**New York State Energy Research and Development Authority (NYSERDA)**

NYSERDA offers cost-sharing on technical assistance engineering studies, financial incentives, and low-interest loans for electrical energy efficiency upgrades involving new construction and comprehensive facility upgrades. NYSERDA also provides financial incentives for the installation of renewable energy generation technologies such as solar and wind.

▶ *New York State Energy Research and Development Authority*



**Regional Economic Development Councils**

In 2011, the Governor launched 10 Regional Economic Development Councils representing regions across New York State, including the Finger Lakes. The Councils represent public-private partnerships composed of local experts and stakeholders from business, academia, local government, and non-governmental organizations. These Councils develop strategic plans that emphasize each region’s strengths and unique assets. The City of Rochester is part of the Finger Lakes Regional Economic Development Council.

As part of the Regional Economic Development Council initiative, a Consolidated Funding Application (CFA) was developed as an easy-to-use online application to access economic development resources available from multiple New York State agencies and authorities through one application.

▶ *Regional Economic Development Councils*

**ADDITIONAL RESOURCES**

**New York State Electric & Gas (NYSEG) and Rochester Gas & Electric (RG&E) Commercial and Industrial Rebate Program**

The NYSEG and RG&E Commercial and Industrial Rebate Program offers rebates to qualifying nonresidential customers who install energy efficient equipment from a pre-approved list of measures.

▶ *NYSEG / RG&E Commercial and Industrial Rebate Program*

**Greater Rochester Enterprise (GRE)**

GRE is a regional economic development organization supported by a team of private and public sector leaders dedicated to improving economic performance in the Greater Rochester Region.

▶ *Greater Rochester Enterprise*

**High Tech Rochester (HTR)**

HTR is a not-for-profit economic development organization focused on regional economic development in the technology and high growth business sector, and assists the development of new and emerging businesses through its business incubator, the Lennox Tech Enterprise Center.

▶ *High Tech Rochester*

**Rochester Business Alliance**

The mission of Rochester Business Alliance is to be the leading advocate for business and a primary agent for ensuring robust economic growth and a positive business climate for the Greater Rochester Region.

▶ *Rochester Business Alliance*



**The Center for Integrated Manufacturing Studies (CIMS)**

CIMS at Rochester Institute of Technology provides technology assistance, testing, and work force training to companies in a wide variety of industries.

▶ *Center for Integrated Manufacturing Studies*

**www.Grants.gov**

Grants.gov, which is managed by the U.S. Department of Health and Human Services, is a source to find and apply for federal grants. Available opportunities can be searched by category or agency, and include economic development related federal agencies such as the Department of Commerce (Economic Development Administration), Department of Energy, HUD, SBA, and USEPA.

Local, state, and federal programs are constantly evolving. Contact the City’s Bureau of Business & Housing Development for assistance in finding a program to fit the project’s needs.

▶ *Grants.gov*  
▶ *“A Guide to Federal and New York State Grants”*



23 | Acronyms and Abbreviations

<b>ANSI</b>	American National Standards Institute	<b>MCWA</b>	Monroe County Water Authority
<b>ASME</b>	American Society of Mechanical Engineers	<b>MIPD</b>	Manufacturing-Institutional Planned Development
<b>BAP</b>	Brownfields Assistance Program	<b>MS4</b>	Municipal Separate Storm Sewer System
<b>BOD</b>	Biological Oxygen Demand	<b>NFPA</b>	National Fire Protection Association
<b>CDC</b>	Certified Development Company	<b>NOI</b>	Notice of Intent
<b>CFA</b>	Consolidated Funding Application	<b>NOT</b>	Notice of Termination
<b>CHP</b>	Combined Heat & Power	<b>NSC</b>	Neighborhood Service Center
<b>CIMS</b>	The Center for Integrated Manufacturing Studies	<b>NYSDEC</b>	New York State Department of Environmental Conservation
<b>CZC</b>	Certificate of Zoning Compliance	<b>NYSDOH</b>	New York State Department of Health
<b>DEQ</b>	Division of Environmental Quality	<b>NYSDOT</b>	New York State Department of Transportation
<b>DES</b>	Department of Environmental Services	<b>NYSEG</b>	New York State Electric & Gas
<b>DSL</b>	Digital Subscriber Line	<b>NYSERDA</b>	New York State Energy Research and Development Authority
<b>E&amp;SC</b>	Erosion & Sedimentation Control	<b>PD</b>	Planned Development
<b>EAF</b>	Environmental Assessment Form	<b>POP</b>	Point of Presence
<b>EIS</b>	Environmental Impact Statement	<b>PRC</b>	Project Review Committee
<b>EPA</b>	U.S. Environmental Protection Agency	<b>PWTF</b>	Personal Wireless Telecommunications Facilities
<b>ESD</b>	Empire State Development	<b>REC</b>	Rochester Environmental Commission
<b>GRE</b>	Greater Rochester Enterprise	<b>REDCO</b>	Rochester Economic Development Corporation
<b>HTR</b>	High Tech Rochester	<b>RG&amp;E</b>	Rochester Gas & Electric
<b>HUD</b>	U.S. Department of Housing and Urban Development	<b>ROW</b>	Right-of-Way
<b>ICC</b>	International Code Council	<b>SBA</b>	U.S. Small Business Administration
<b>IPD</b>	Institutional Planned Development	<b>SEQR</b>	State Environmental Quality Review
<b>LAN</b>	Local Area Network	<b>SHPO</b>	State Historic Preservation Office
<b>LEED</b>	Leadership in Energy and Environmental Design	<b>SPDES</b>	State Pollutant Discharge Elimination System
<b>MCDES</b>	Monroe County Department of Environmental Services	<b>SWPPP</b>	Stormwater Pollution Prevention Plan

24 | Web-Based Information Resources

<b>INTRODUCTION</b>	
<b>PERMIT OFFICE RESOURCES (p. 8)</b>	
<b>Building Permits</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589936563">http://www.cityofrochester.gov/article.aspx?id=8589936563</a>
<b>Zoning Codes</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939744">http://www.cityofrochester.gov/article.aspx?id=8589939744</a>
<b>Zoning Application Forms</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939680">http://www.cityofrochester.gov/article.aspx?id=8589939680</a>
<b>Permit Information, Brochures, and Fee Schedules</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939746">http://www.cityofrochester.gov/article.aspx?id=8589939746</a>
<b>PROJECT PLANNING</b>	
<b>01   PROJECT PLANNING AND PERMITTING PROCESS SUMMARY (p. 12)</b>	
<b>Zoning Application Forms</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939680">http://www.cityofrochester.gov/article.aspx?id=8589939680</a>
<b>02   URBAN DEVELOPMENT CONCEPTS AND STRATEGIES (p. 14)</b>	
<b>Division of Environmental Quality — Environmental Cleanup and Brownfield Redevelopment</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589936747">http://www.cityofrochester.gov/article.aspx?id=8589936747</a>
<b>Environmental Institutional Control Program — Permit Controls for Environmental Conditions Brochure</b>	<a href="http://media.cityofrochester.gov/des/deq/Web%20Permit%20control%20broch.pdf">http://media.cityofrochester.gov/des/deq/Web Permit control broch.pdf</a>
<b>Brownfields Assistance Program Brochure</b>	<a href="http://media.cityofrochester.gov/des/deq/Brownfields%20Assistance%20Program%20V2.pdf">http://media.cityofrochester.gov/des/deq/Brownfields Assistance Program V2.pdf</a>
<b>Green Team</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589936085">http://www.cityofrochester.gov/article.aspx?id=8589936085</a>
<b>U.S. Green Building Council</b>	<a href="http://www.usgbc.org/">http://www.usgbc.org/</a>
<b>03   KNOW YOUR SITE (p. 18)</b>	
<b>Historic Preservation — The Rochester Preservation Ordinance: Preservation Districts</b>	<a href="http://www.cityofrochester.gov/historicpreservation">http://www.cityofrochester.gov/historicpreservation</a>
<b>04   KNOW YOUR COMMUNITY (p. 20)</b>	
<b>Neighborhood Service Center Locations</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589936730">http://www.cityofrochester.gov/article.aspx?id=8589936730</a>
<b>City of Rochester Comprehensive Plan</b>	<a href="http://www.ecode360.com/8684690">http://www.ecode360.com/8684690</a>
<b>Business Services — City, State, and Federal Programs to Grow Your Business</b>	<a href="http://www.cityofrochester.gov/article.aspx?id=8589935976">http://www.cityofrochester.gov/article.aspx?id=8589935976</a>
<b>Historic Preservation — The Rochester Preservation Ordinance: Preservation Districts</b>	<a href="http://www.cityofrochester.gov/historicpreservation">http://www.cityofrochester.gov/historicpreservation</a>

PROJECT PLANNING (CONTINUED)

Northwest Quadrant Service Center	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939493">http://www.cityofrochester.gov/article.aspx?id=8589939493</a>
Northeast Quadrant Service Center	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939492">http://www.cityofrochester.gov/article.aspx?id=8589939492</a>
Southwest Quadrant Service Center	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939495">http://www.cityofrochester.gov/article.aspx?id=8589939495</a>
Southeast Quadrant Service Center	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939494">http://www.cityofrochester.gov/article.aspx?id=8589939494</a>

PERMITTING

06   ZONING APPLICATIONS AND REVIEWS (p. 26)	
City Code: Section 120	<a href="http://www.ecode360.com/8679474?#8679474">http://www.ecode360.com/8679474?#8679474</a>
Requirements Applying to All Districts	<a href="http://www.ecode360.com/8682602?#8682602">http://www.ecode360.com/8682602?#8682602</a>
Additional Requirements for Specified Uses	<a href="http://www.ecode360.com/8682219?#8682219">http://www.ecode360.com/8682219?#8682219</a>

07   SUMMARY OF PERMITTING PROCESSES (p. 28)	
Administrative Adjustment Process	<a href="http://www.ecode360.com/8683480#8683480">http://www.ecode360.com/8683480#8683480</a>
Administrative Adjustment Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589935969">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589935969</a>
Administrative Appeal Process	<a href="http://www.ecode360.com/8683950#8683950">http://www.ecode360.com/8683950#8683950</a>
Administrative Appeal Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589935973">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589935973</a>
Amendment Process and Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939742">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939742</a>
Business, Vendor, and Gaming Licenses	<a href="http://www.cityofrochester.gov/article.aspx?id=8589937604">http://www.cityofrochester.gov/article.aspx?id=8589937604</a>
Business Permit Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589940350">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589940350</a>
Business Permit Renewal	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939726">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939726</a>
Certificate of Appropriateness Process	<a href="http://www.ecode360.com/8683846#8683846">http://www.ecode360.com/8683846#8683846</a>
Certificate of Appropriateness Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589935983">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589935983</a>
Certificate of Nonconformity Process	<a href="http://www.ecode360.com/8684042#8684042">http://www.ecode360.com/8684042#8684042</a>
Certificate of Nonconformity Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939728">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939728</a>
Interpretation of Zoning Code Process	<a href="http://www.ecode360.com/8683479#8683479">http://www.ecode360.com/8683479#8683479</a>

PERMITTING (CONTINUED)

Interpretation of Zoning Code Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939749">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939749</a>
Resubdivision Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939743">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939743</a>
Site Plan Review Process	<a href="http://www.ecode360.com/8683479#8683479">http://www.ecode360.com/8683479#8683479</a>
Site Plan Review Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936037">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936037</a>
Special Permit Process	<a href="http://www.ecode360.com/8683713#8683713">http://www.ecode360.com/8683713#8683713</a>
Special Permit Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936038">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936038</a>
Street and Sidewalk Right-of-Way Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589938100">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589938100</a>
Subdivision Process	<a href="http://www.ecode360.com/8684462?highlight=subdivision#8684462">http://www.ecode360.com/8684462?highlight=subdivision#8684462</a>
Subdivision Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589948115">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589948115</a>
Area Variance Process	<a href="http://www.cityofrochester.gov/article.aspx?id=8589936539">http://www.cityofrochester.gov/article.aspx?id=8589936539</a>
Area Variance Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589948911">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589948911</a>
Area Variance Statement of Difficulty	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936869">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936869</a>
Use Variance Process	<a href="http://www.cityofrochester.gov/article.aspx?id=8589936539">http://www.cityofrochester.gov/article.aspx?id=8589936539</a>
Use Variance Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589948911">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589948911</a>
Use Variance Statement of Unnecessary Hardship	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936044">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936044</a>

09   SITE PLAN REVIEW (p. 34)	
City Code: Section 120-191D	<a href="http://www.ecode360.com/8683479?#8683479">http://www.ecode360.com/8683479?#8683479</a>
Site Plan Review Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936037">http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936037</a>
Major Site Plan Reviews	<a href="http://www.ecode360.com/8683582?#8683582">http://www.ecode360.com/8683582?#8683582</a>

10   SUBDIVISIONS AND RESUBDIVISIONS (p. 36)	
Subdivision Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589948115">http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589948115</a>



PERMITTING (CONTINUED)	
Resubdivision Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939743">http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939743</a>
Official City Map and Surveys	<a href="http://www.cityofrochester.gov/article.aspx?id=8589936757">http://www.cityofrochester.gov/article.aspx?id=8589936757</a>
Monroe County Clerk’s Office	<a href="http://www.monroecounty.gov/clerk-index.php">http://www.monroecounty.gov/clerk-index.php</a>

11   STATE ENVIRONMENTAL QUALITY REVIEW (p. 38)	
Type I Actions	<a href="http://www.dec.ny.gov/regs/4490.html#18106">http://www.dec.ny.gov/regs/4490.html#18106</a>
Type II Actions	<a href="http://www.dec.ny.gov/regs/4490.html#18105">http://www.dec.ny.gov/regs/4490.html#18105</a>
Short Form Environmental Assessment Form	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936881">http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936881</a>
Long Form Environmental Assessment Form	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936882">http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589936882</a>

12   BUSINESS PERMITS (p. 43)	
New Business Permit Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589940350">http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589940350</a>
Business Permit Renewal Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939726">http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589939726</a>
Business Permit Program	<a href="http://www.cityofrochester.gov/article.aspx?id=8589935988">http://www.cityofrochester.gov/article.aspx?id=8589935988</a>

13   BUILDING PERMITS (p. 45)	
Applying for a Building Permit Brochure	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589950287">www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589950287</a>
Permit Information, Brochures, and Fee Schedules	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939746">http://www.cityofrochester.gov/article.aspx?id=8589939746</a>
Certificate of Occupancy	<a href="http://www.cityofrochester.gov/article.aspx?id=8589935004">http://www.cityofrochester.gov/article.aspx?id=8589935004</a>
New York State Uniform Fire Prevention and Building Code	<a href="http://publicecodes.citation.com/st/ny/st/index.htm">http://publicecodes.citation.com/st/ny/st/index.htm</a>
National Fire Protection Agency (NFPA) — List of NFPA Codes & Standards	<a href="http://www.nfpa.org/aboutthecodes/list_of_codes_and_standards.asp?cookie_test=1">http://www.nfpa.org/aboutthecodes/list_of_codes_and_standards.asp?cookie_test=1</a>
International Code Council (ICC) / American National Standards Institute (ANSI) — Accessible and Useable Buildings and Facilities	<a href="http://webstore.ansi.org/RecordDetail.aspx?sku=ICC/ANSI+A117.1-2003">http://webstore.ansi.org/RecordDetail.aspx?sku=ICC/ANSI+A117.1-2003</a>
American Society of Mechanical Engineers (ASME) — Elevator Code Collection	<a href="http://www.ihs.com/products/industry-standards/org/asme/elevator-code/index.aspx">http://www.ihs.com/products/industry-standards/org/asme/elevator-code/index.aspx</a>

UTILITIES AND INFRASTRUCTURE

14   WATER SUPPLY (p. 48)	
Water System Useful Documents (including Water Engineering Design Guidelines)	<a href="http://www.cityofrochester.gov/article.aspx?id=8589945336">http://www.cityofrochester.gov/article.aspx?id=8589945336</a>

15   WASTEWATER (p. 50)	
EPA Categorical Pretreatment Standards	<a href="http://water.epa.gov/scitech/wastetech/guide/industry.cfm">http://water.epa.gov/scitech/wastetech/guide/industry.cfm</a>
Monroe County Pure Waters Sewer Use Law	<a href="http://www.monroecounty.gov/p/pw-SewerUseLaw.pdf">http://www.monroecounty.gov/p/pw-SewerUseLaw.pdf</a>
Monroe County Pure Waters Districts Rules and Regulations	<a href="http://www.monroecounty.gov/p/pw-RulesAndRegulations.pdf">http://www.monroecounty.gov/p/pw-RulesAndRegulations.pdf</a>
Monroe County Initial Sewer Use Permit	<a href="http://www.monroecounty.gov/p/pw-SewerUsePermit.pdf">http://www.monroecounty.gov/p/pw-SewerUsePermit.pdf</a>
Plumbing Permit	<a href="http://www.cityofrochester.gov/article.aspx?id=8589936563">http://www.cityofrochester.gov/article.aspx?id=8589936563</a>
Permit Information, Brochures, and Fee Schedules	<a href="http://www.cityofrochester.gov/article.aspx?id=8589939746">http://www.cityofrochester.gov/article.aspx?id=8589939746</a>
Public Works Construction Details	<a href="http://www.cityofrochester.gov/article.aspx?id=8589948399">http://www.cityofrochester.gov/article.aspx?id=8589948399</a>

16   STORMWATER (p. 52)	
City of Rochester Building Code	<a href="http://www.ecode360.com/12553894">http://www.ecode360.com/12553894</a>
Land Disturbance Activity Approval Process	<a href="http://www.ecode360.com/13764665#13764665">http://www.ecode360.com/13764665#13764665</a>
Permit Application Fee	<a href="http://www.ecode360.com/12553928#12553937">http://www.ecode360.com/12553928#12553937</a>
Stormwater Pollution Prevention Plan Requirements	<a href="http://www.ecode360.com/13764665#13764689">http://www.ecode360.com/13764665#13764689</a>
Notice of Intent	<a href="http://www.dec.ny.gov/docs/water_pdf/noipgr10.pdf">http://www.dec.ny.gov/docs/water_pdf/noipgr10.pdf</a>
Notice of Termination	<a href="http://www.dec.ny.gov/docs/water_pdf/gpcnnapr10.pdf">http://www.dec.ny.gov/docs/water_pdf/gpcnnapr10.pdf</a>
MS4 Stormwater Pollution Prevention Plan Acceptance Form	<a href="http://www.dec.ny.gov/docs/water_pdf/swpppaccept10.pdf">http://www.dec.ny.gov/docs/water_pdf/swpppaccept10.pdf</a>
New York Standards and Specifications for Erosion and Sediment Controls	<a href="http://www.dec.ny.gov/chemical/29066.html">http://www.dec.ny.gov/chemical/29066.html</a>
New York State Stormwater Management Design Manual	<a href="http://www.dec.ny.gov/chemical/29072.html">http://www.dec.ny.gov/chemical/29072.html</a>
Stormwater Pollution Prevention Plan Requirements	<a href="http://www.ecode360.com/13764665#13764689">http://www.ecode360.com/13764665#13764689</a>

17   POWER AND TRANSMISSION (p. 55)	
Public Service Commission	<a href="http://www.dps.ny.gov/">http://www.dps.ny.gov/</a>

UTILITIES AND INFRASTRUCTURE (CONTINUED)

18   TELECOMMUNICATIONS (p. 56)	
Personal Wireless Telecommunications Facilities	<a href="http://www.ecode360.com/8682310#8682310">http://www.ecode360.com/8682310#8682310</a>

19   TRANSPORTATION (p. 58)	
Right-of-Way Permit Application	<a href="http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589938100">http://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdIdentifier=id&amp;ItemID=8589938100</a>

RESOURCES

21   PROJECT DEVELOPMENT ASSISTANCE AND RESOURCES (p. 64)	
Application for Gap Financing for Mixed Use Projects	<a href="http://www.cityofrochester.gov/article.aspx?id=8589968019">http://www.cityofrochester.gov/article.aspx?id=8589968019</a>
Application for Support Letter for Special PILOT	<a href="http://www.cityofrochester.gov/article.aspx?id=8589968019">http://www.cityofrochester.gov/article.aspx?id=8589968019</a>
Finger Lakes Regional Economic Development Council	<a href="http://regionalcouncils.ny.gov/content/finger-lakes">http://regionalcouncils.ny.gov/content/finger-lakes</a>
22   FUNDING RESOURCES (p. 65)	
Rochester Economic Development Corporation	<a href="http://www.cityofrochester.gov/article.aspx?id=8589941225">http://www.cityofrochester.gov/article.aspx?id=8589941225</a>
U.S. Small Business Administration	<a href="http://www.sba.gov/">http://www.sba.gov/</a>
U.S. Department of Housing and Urban Development	<a href="http://portal.hud.gov/hudportal/HUD">http://portal.hud.gov/hudportal/HUD</a>
City of Rochester Business Development Contacts	
Monroe County Department of Planning and Development, Division of Economic Development	<a href="http://www.monroecounty.gov/economic-index.php#IncentivePrograms">http://www.monroecounty.gov/economic-index.php#IncentivePrograms</a>
County of Monroe Industrial Development Agency	<a href="http://www.growmonroe.org/comida/incentives">http://www.growmonroe.org/comida/incentives</a>
Empire State Development Finger Lakes Regional Office	<a href="http://www.esd.ny.gov/FingerLakes.html">http://www.esd.ny.gov/FingerLakes.html</a>
New York State Energy Research and Development Authority	<a href="http://www.nyserda.ny.gov/">http://www.nyserda.ny.gov/</a>
Regional Economic Development Councils	<a href="http://regionalcouncils.ny.gov/">http://regionalcouncils.ny.gov/</a>
New York State Electric & Gas / Rochester Gas & Electric Commercial and Industrial Rebate Program	<a href="http://www.nyseg.com/UsageAndSafety/usingenergywisely/eeeps/cirp.html">http://www.nyseg.com/UsageAndSafety/usingenergywisely/eeeps/cirp.html</a>
Greater Rochester Enterprise	<a href="http://www.rochesterbiz.com/">http://www.rochesterbiz.com/</a>



